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LEGISLATIVE HISTORY

Public Law 86-375

H. R. 5711

TABLE OF CONTENTS

Index and summary of H. R. 5711.....	1
Digest of Public Law 86-375.....	2

DIGEST OF PUBLIC LAW 86-375

APPROVAL OF WABASH VALLEY COMPACT. Grants the consent of Congress to Illinois and Indiana to enter into a Wabash Valley Compact to encourage and facilitate coordinated development of the Valley as a region, to relate its agricultural, industrial, commercial, recreational, transportation, development, and other problems to its opportunities, and to establish an agency with powers sufficient and appropriate to further regional planning for the valley.

86TH CONGRESS
1ST SESSION

S. 1257

IN THE SENATE OF THE UNITED STATES

MARCH 5, 1959

Mr. HARTKE (for himself, Mr. CAPEHART, Mr. DOUGLAS, and Mr. DIRKSEN)
introduced the following bill; which was read twice and referred to the
Committee on the Judiciary

A BILL

Granting the consent and approval of Congress to the Wabash
Valley Compact, and for related purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent of Congress is hereby given to the States
4 of Illinois and Indiana to enter into the Wabash Valley
5 Compact in the form as follows:

6 "THE WABASH VALLEY COMPACT

7 "ARTICLE I

8 "FINDINGS AND PURPOSE

9 "The party states find that the Wabash Valley has suf-
10 fered from a lack of comprehensive planning for the optimal

1 use of its human and natural resources and that under-
2 utilization and inadequate benefits from its potential wealth
3 are likely to continue until there is proper organization to
4 encourage and facilitate coordinated development of the Wa-
5 bash Valley as a region and to relate its agricultural, indus-
6 trial, commercial, recreational, transportation, development
7 and other problems to the opportunities in the Valley. To
8 this end it is the purpose of the party states to recognize
9 and provide for such development and coordination and to
10 establish an agency of the party states with powers suffi-
11 cient and appropriate to further regional planning for the
12 Valley.

13 "ARTICLE II

14 "THE VALLEY

15 "As used in this compact, the term 'Wabash Valley'
16 shall mean the Wabash River, its tributaries and all land
17 drained by said river and tributaries, to whatever extent they
18 lie within the party states.

19 "ARTICLE III

20 "THE WABASH VALLEY INTERSTATE COMMISSION

21 "(a) There is hereby created an agency of the party
22 states to be known as the Wabash Valley Interstate Com-
23 mission (hereinafter called the Commission). The Commis-
24 sion shall be composed of seven Commissioners from each
25 party state designated or appointed in accordance with the

1 law of the state which they represent and serving and sub-
2 ject to removal in accordance with such law. The federal
3 government may be represented without vote if provision
4 is made by federal law for such representation.

5 “(b) The Commissioners of the party states shall each
6 be entitled to one vote in the Commission. No action of the
7 Commission shall be binding unless taken at a meeting in
8 which a majority of the members from each party state are
9 present and unless a majority of those from each state concur,
10 provided that any action not binding for such a reason may
11 be ratified within thirty days by the concurrence of a ma-
12 jority of each state. In the absence of any Commissioner,
13 his vote may be cast by another representative or Commis-
14 sioner of his state provided that said Commissioner or other
15 representative casting said vote shall have a written proxy
16 in proper form as may be required by the Commission.

17 “(c) The Commission may sue and be sued, and shall
18 have a seal.

19 “(d) The Commission shall elect annually, from among
20 its members, a chairman, a vice-chairman and a treasurer.
21 The Commission shall appoint an executive director who
22 shall also act as secretary, and who, together with the treas-
23 urer, shall be bonded in such amounts as the Commission
24 may require.

25 “(e) The Commission shall appoint and remove or dis-

1 charge such personnel as may be necessary for the perform-
2 ance of the Commission's functions irrespective of the civil
3 service, personnel or other merit system laws of any of the
4 party states.

5 “(f) The Commission may establish and maintain, inde-
6 pendently or in conjunction with any one or more of the
7 party states, a suitable retirement system for its employees.
8 Employees of the Commission shall be eligible for social
9 security coverage in respect of old-age and survivors insur-
10 ance provided that the Commission takes such steps as may
11 be necessary pursuant to federal law to participate in such
12 program of insurance as a governmental agency or unit.
13 The Commission may establish and maintain or participate
14 in such additional programs of employee benefits as may be
15 appropriate to afford employees of the Commission terms and
16 conditions of employment similar to those enjoyed by em-
17 ployees of the party states generally.

18 “(g) The Commission may borrow, accept, or contract
19 for the services of personnel from any state or the United
20 States or any subdivision or agency thereof, from any inter-
21 state agency, or from any institution, person, firm or cor-
22 poration.

23 “(h) The Commission may accept for any of its pur-
24 poses and functions under this compact any and all donations,
25 and grants of money, equipment, supplies, materials, and

1 services, conditional or otherwise, from any state of the
2 United States or any subdivision or agency thereof, or inter-
3 state agency, or from any institution, person, firm or cor-
4 poration, and may receive, utilize, and dispose of the same.

5 “(i) The Commission may establish and maintain such
6 facilities as may be necessary for the transacting of its busi-
7 ness. The Commission may acquire, hold, and convey real
8 and personal property and any interest therein.

9 “(j) The Commission may adopt, amend, and rescind
10 bylaws, rules, and regulations for the conduct of its business.

11 “(k) The Commission annually shall make to the Gov-
12 ernor of each party state, a report covering the activities
13 of the Commission for the preceding year, and embody-
14 ing such recommendations as may have been adopted by
15 the Commission which report shall be transmitted to the
16 legislature of said state. The Commission may issue such
17 additional reports as it may deem desirable.

18 “ARTICLE IV

19 “FINANCES

20 “(a) The Commission shall submit to the executive head
21 or designated officer or officers of each party state a budget
22 of its estimated expenditures for such period as may be re-
23 quired by the laws of that jurisdiction for presentation to the
24 legislature thereof.

25 “(b) Each of the Commission’s budgets of estimated

1 expenditures shall contain specific recommendations of the
2 amount or amounts to be appropriated by each of the party
3 states. Subject to appropriation by the respective legisla-
4 tures the Commission shall be provided with such funds by
5 each of the party states as are necessary to provide the
6 means of establishing and maintaining facilities, a staff of per-
7 sonnel, and such activities as may be necessary to fulfill the
8 powers and duties imposed upon and entrusted to the Com-
9 mission.

10 “(c) The Commission may meet any of its obligations
11 in whole or in part with funds available to it under Article
12 III (h) of this compact, provided that the Commission takes
13 specific action setting aside such funds prior to the incurring
14 of any obligation to be met in whole or in part in this man-
15 ner. Except where the Commission makes use of funds
16 available to it under Article III (h) hereof, the Commission
17 shall not incur any obligations prior to the allotment of funds
18 by the party jurisdictions adequate to meet the same.

19 “(d) The expenses and any other costs for each member
20 of the Commission shall be met by the Commission in ac-
21 cordance with such standards and procedures as it may estab-
22 lish under its bylaws.

23 “(e) The Commission shall keep accurate accounts of
24 all receipts and disbursements. The receipts and disburse-
25 ments of the Commission shall be subject to the audit and

1 accounting procedures established under its bylaws. How-
2 ever, all receipts and disbursements of funds handled by the
3 Commission shall be audited yearly by a qualified public
4 accountant and the report of the audit shall be included in
5 and become a part of the annual report of the Commission.

6 “(f) The accounts of the Commission shall be open at
7 any reasonable time for inspection.

8 “ARTICLE V

9 “ADVICE AND COOPERATION

10 “(a) The Commission shall establish a technical advi-
11 sory committee which shall be composed of representatives
12 of such departments or agencies of the governments of the
13 party states as have significant interest in the subject matter
14 of the Commission's work: Provided that if pursuant to the
15 laws of a party state a representative of any such depart-
16 ment or agency serves as a member of the Commission said
17 department or agency need not be represented on the tech-
18 nical advisory committee. The Commission shall provide
19 under its bylaws for procedures for the reference of questions
20 to such committee.

21 “(b) The Commission may establish other advisory and
22 technical committees composed of private citizens, expert
23 and lay personnel, representatives of industry, labor, com-
24 merce, agriculture, civic associations, and officials of local,
25 state and federal government, and may cooperate with and

1 use the services of any such committee and the organizations
2 which they represent in furthering any of its activities under
3 this compact. The Commission shall encourage citizen
4 organization and activity for the promotion of the objectives
5 of this compact.

6 "ARTICLE VI

7 "FUNCTIONS

8 "The Commission shall have power to:

9 "A. Promote the balanced development of the
10 Wabash Valley by

11 "(1) Correlating and reporting on data signifi-
12 cant to such development.

13 "(2) Recommending the coordination of studies
14 by the agencies of the party states to provide such
15 data.

16 "(3) Publishing and disseminating materials
17 and studies which will encourage the economic de-
18 velopment of the Valley.

19 "(4) Recommending standards as guides for
20 local and state zoning and other action which will
21 promote balanced development by encouraging the
22 establishment of industrial parks to facilitate in-
23 dustrial development, the reservation of stream bank
24 and lake shore areas for recreation and public access

1 to water, the preservation of marshes and other
2 suitable areas as wild life preserves, the afforesta-
3 tion and sustained yield forest management of sub-
4 marginal lands, the protection of scenic values and
5 amenities and other appropriate measures.

6 “(5) Preparing in cooperation with appro-
7 priate governmental agencies a master plan for the
8 identification and programming of public works.

9 “(6) Cooperating with all appropriate govern-
10 mental agencies in the encouragement of tourist
11 traffic and facilities in the Valley.

12 “B. Recommend integrated plans and programs for
13 the conservation, development and proper utilization
14 of the water, land and related natural resources of the
15 Wabash Valley, including but not limited to:

16 “(1) Encouraging the classification of Valley
17 lands in terms of appropriate uses.

18 “(2) Cooperating in the development of ap-
19 propriate plans for flood protection, including but
20 not limited to the construction of protective works
21 and reservoirs.

22 “(3) Developing public awareness of the need
23 for flood plain zoning and in cooperation with the
24 appropriate agencies of the party states and their

1 political subdivisions evolving standards for the im-
2 plementation and application of such zoning in the
3 Valley.

4 “(4) Reviewing the need for and appropriate
5 sources of suitable water supplies for domestic, mu-
6 nicipal, agricultural, power, industrial, recreation
7 and transportation purposes.

8 “(5) Encouraging a pattern of land use and
9 resource management which will increase the natu-
10 ral wealth of the Valley and promote the welfare
11 of its inhabitants.

12 “(6) In cooperation with appropriate agencies,
13 analyzing the recreational needs and potential of the
14 Valley and developing a program for the use and
15 maximization of recreational resources.

16 “C. Secure the necessary research and developmen-
17 tal activities by:

18 “(1) Correlating such research and develop-
19 mental activities as are placed within its purview by
20 this compact. The Commission may engage in
21 original investigation and research on its own ac-
22 count or secure the undertaking thereof by a quali-
23 fied public or private agency.

24 “(2) Making contracts for studies, investiga-

1 tions and research in any of the fields of its in-
2 terest.

3 “(3) Publishing and disseminating reports.

4 “D. Make recommendations for appropriate action
5 to:

6 “(1) The legislatures and executive heads of
7 the party states and the federal government

8 “(2) The agencies of the party states and the
9 federal government.

10 “E. Undertake such additional functions as may
11 hereafter be delegated to or imposed upon it from
12 time to time by the action of the legislature of a
13 party state concurred in by the legislature of the other.

14 “ARTICLE VII

15 “ENACTMENT AND WITHDRAWAL

16 “This compact shall become effective when entered
17 into and enacted into law by the states of Illinois and
18 Indiana. The compact shall continue in force and remain
19 binding upon each party state until renounced by legislative
20 action of either party state.

21 “ARTICLE VIII

22 “CONSTRUCTION AND SEVERABILITY

23 “The provisions of this compact shall be severable and
24 if any phrase, clause, sentence or provision of this compact

1 is declared to be unconstitutional or the applicability thereof
2 to any state, agency, person or circumstance is held invalid,
3 the constitutionality of the remainder of this compact and the
4 applicability thereof to any other state, agency, person or
5 circumstance shall not be affected thereby. It is the legis-
6 lative intent that the provisions of this compact be reasonably
7 and liberally construed.”

8 SEC. 2. A Federal representative to the Wabash Valley
9 Interstate Commission shall be appointed by the President,
10 and he shall report to the President either directly or through
11 such agency or official as the President may specify. Such
12 representative shall have no vote on the commission. His
13 compensation shall be in such amount, not in excess of \$100
14 per diem, as the President shall specify, but the total amount
15 of compensation payable in any one calendar year shall not
16 exceed \$10,000: *Provided*, That if the Federal representa-
17 tive be an employee of the United States he shall serve with-
18 out additional compensation: *Provided further*, That a re-
19 tired military officer or a retired Federal civilian officer or em-
20 ployee may be appointed as such representative, without prej-
21 udice to his retired status, and he shall receive compensation
22 as authorized herein in addition to his retired pay or annuity
23 but the sum of his retired pay or annuity and such additional
24 compensation as may be paid hereunder shall not exceed
25 \$12,000 in any one calendar year. The Federal representa-

1 tive shall be entitled to travel expenses, he shall also be pro-
2 vided with office space, stenographic service, and other nec-
3 essary administrative services. The compensation of the
4 Federal representative shall be paid from available appro-
5 priations for the White House Office or from funds available
6 to the President in connection with special projects. Travel
7 expenses, office space, stenographic, and administrative serv-
8 ices shall be paid from any available appropriations selected
9 by the head of such agency or agencies as may be designated
10 by the President to provide such expenses.

11 SEC. 3. The Wabash Valley Interstate Commission con-
12 stituted by the compact shall make an annual report to Con-
13 gress not later than sixty days after the beginning of each
14 regular session thereof.

15 SEC. 4. The right to alter, amend, or repeal this Act
16 is expressly reserved.

A BILL

Granting the consent and approval of Congress
to the Wabash Valley Compact, and for re-
lated purposes.

By Mr. HARTKE, Mr. CARENART, Mr. DOUGLAS,
and Mr. DIRKSEN

MARCH 5, 1959

Read twice and referred to the Committee on the
Judiciary

86TH CONGRESS
1ST SESSION

H. R. 5711

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1959

Mr. LIBONATI introduced the following bill; which was referred to the Committee on the Judiciary

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2 utilization and inadequate benefits from its potential wealth
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15 "As used in this compact, the term 'Wabash Valley'
16 shall mean the Wabash River, its tributaries and all land
17 drained by said river and tributaries, to whatever extent they
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13 his vote may be cast by another representative or Commis-
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24 may require.

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2 ance of the Commission's functions irrespective of the civil
3 service, personnel or other merit system laws of any of the
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20 States or any subdivision or agency thereof, from any inter-
21 state agency, or from any institution, person, firm or cor-
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24 poses and functions under this compact any and all donations,
25 and grants of money, equipment, supplies, materials, and

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2 United States or any subdivision or agency thereof, or inter-
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10 bylaws, rules, and regulations for the conduct of its business.

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3 Commission shall be audited yearly by a qualified public
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15 laws of a party state a representative of any such depart-
16 ment or agency serves as a member of the Commission said
17 department or agency need not be represented on the tech-
18 nical advisory committee. The Commission shall provide
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2 to any state, agency, person or circumstance is held invalid,
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5 circumstance shall not be affected thereby. It is the legis-
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7 and liberally construed.”

8 SEC. 2. A Federal representative to the Wabash Valley
9 Interstate Commission shall be appointed by the President,
10 and he shall report to the President either directly or through
11 such agency or official as the President may specify. Such
12 representative shall have no vote on the commission. His
13 compensation shall be in such amount, not in excess of \$100
14 per diem, as the President shall specify, but the total amount
15 of compensation payable in any one calendar year shall not
16 exceed \$10,000: *Provided*, That if the Federal representa-
17 tive be an employee of the United States he shall serve with-
18 out additional compensation: *Provided further*, That a re-
19 tired military officer or a retired Federal civilian officer or em-
20 ployee may be appointed as such representative, without prej-
21 udice to his retired status, and he shall receive compensation
22 as authorized herein in addition to his retired pay or annuity
23 but the sum of his retired pay or annuity and such additional
24 compensation as may be paid hereunder shall not exceed
25 \$12,000 in any one calendar year. The Federal representa-

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2 vided with office space, stenographic service, and other nec-
3 essary administrative services. The compensation of the
4 Federal representative shall be paid from available appro-
5 priations for the White House Office or from funds available
6 to the President in connection with special projects. Travel
7 expenses, office space, stenographic, and administrative serv-
8 ices shall be paid from any available appropriations selected
9 by the head of such agency or agencies as may be designated
10 by the President to provide such expenses.

11 SEC. 3. The Wabash Valley Interstate Commission con-
12 stituted by the compact shall make an annual report to Con-
13 gress not later than sixty days after the beginning of each
14 regular session thereof.

15 SEC. 4. The right to alter, amend, or repeal this Act
16 is expressly reserved.

A BILL

Granting the consent and approval of Congress
to the Wabash Valley Compact, and for re-
lated purposes.

By Mr. LIBONATI

MARCH 16, 1959

Referred to the Committee on the Judiciary

Aug 18, 1959

7. FAIRS; EXHIBITS. Passed as reported H. R. 8374, to authorize the appropriation of funds for participation of the Federal Government in the Century 21 Exposition in Seattle, Wash., beginning in 1961 (pp. 14850-63). The committee report on this bill states that this Department will provide exhibits on breeding and genetics, demonstration of new crops and new techniques in improving animals, and new food sources.
8. VETO AUTHORITY; BUDGETING. Rep. Curtin urged the enactment of legislation to "permit the President of the United States to approve and disapprove, separately, any individual items in appropriations bills passed by the Congress." p. 14902
9. LOBBYING. Received from the Clerk of the House and the Secretary of the Senate the quarterly report on lobbying. pp. 14907-38
10. FOOD STAMPS. The "Daily Digest" states that the Rules Committee deferred action on the granting of a rule on H. R. 1359, to provide for the establishment of a food-stamp plan for the distribution of \$1 billion worth of surplus food commodities a year to needy persons and families in the U. S. p. D786
11. SMALL BUSINESS. The Banking and Currency Committee voted to report (but did not actually report) H. R. 8599, to increase the authority of the Small Business Administration to make loans under its regular business program. p.D785
12. WATER DEVELOPMENT. The Judiciary Committee voted to report (but did not actually report) with amendment H. R. 5711, granting the consent and approval of Congress to the Wabash Valley Compact. p. D786
13. PERSONNEL; HEALTH. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 2162, to provide a health benefits program for Government employees. p. D786

SENATE

14. HOUSING. Passed, 71 to 24, with amendments S. 2539, the new housing bill (pp. 14790-815). Earlier rejected, 28 to 67, a motion by Sen. Bennett to re-commit the bill to committee (p. 14812). See Digest 140 for the portion of the bill of interest to this Department.
15. FORESTRY; CONSERVATION. Received from the Secretary of the Army and the Secretary of Agriculture a letter reporting the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of military and national forest lands within the Lucky Peak Reservoir project, Idaho, and the Boise National Forest (with an accompanying report). p. 14749
Sen. Dodd urged Congressional action on S. 2549, to declare a national policy on conservation, development, and utilization of natural resources, and stated that the bill would "provide for two important continuing groups to make annual studies and reports on the complete natural resource picture." He warned that "We have cut 90 percent of our virgin timber stand in the commercial forest area. The erosion of our soil and the consequent destruction of agricultural lands has been a national calamity." p. 14823
16. CONSERVATION CORPS. Sen. Mansfield inserted a letter from Sen. Murray to Secretary Benson urging the Secretary to restudy and support S. 812, the Youth Conservation Corps bill, and referring to the "excellent" photographs furnished by this Department, which "convinced ... at least five Senators ... of the merit of this bill." p. 14755

17. LANDS; LEASING. Conferees were appointed on H. R. 6939, to increase the area of public lands in Alaska which may be held under coal lease by any one person or firm. p. 14790
The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendments S. 2181, to amend the Mineral Leasing Act of 1920, to modify oil, gas, coal, and other mineral leasing requirements and conditions. p. D782
S. 1514, to remove the limitation on the authorization for appropriations for the investigation of the water resources of Alaska, was made the unfinished business. pp. 14786, 14827
18. SCIENCE; RESEARCH. The Labor and Public Welfare Committee voted to report (but did not actually report) with amendment S. 2468, to amend the National Science Foundation Act of 1950 to strengthen scientific research. p. D783
19. COLOR ADDITIVES. The Labor and Public Welfare Committee voted to report (but did not actually report) S. 2197, the proposed Color Additives Amendments for 1959. p. D783
20. CREDIT UNIONS. Sen. Robertson announced that hearings will be held Fri., Aug. 21, on various bills to amend the Federal Credit Union Act. p. 14754
21. FOREIGN AID. Sen. Mansfield inserted an article and his correspondence with the State Department discussing the functions of the Inspector General of the foreign aid programs, and contended that under legislation recently enacted "The Inspector General is made responsible for the review of any and all aspects of the foreign aid program." pp. 14755-6
Sen. Schoeppel expressed his "apprehension and concern about the impact of our foreign aid and foreign trade policies upon American industry and upon American labor," and inserted several articles on the subject. pp. 14821-3
Sen. Mansfield inserted an article, "A Fund for Freedom," discussing the proposed establishment of an International Development Association to provide loans to aid underdeveloped countries. pp. 14826-7
22. LEGISLATIVE APPROPRIATION BILL FOR 1960. Received and agreed to the conference report on this bill, H. R. 7453 (pp. 14817-9). This bill will now be sent to the President.
23. PRICES; INFLATION. Sen. Kefauver stated that he was "disturbed" over what he termed a shift in emphasis made by the President's Cabinet Committee on Price Stability for Economic Growth from the need for price stability and inflation control to the need for economic growth, and he contended that the change in emphasis "reflects a weakening of the administration stand against inflation." He inserted a statement evaluating the use of certain price indexes in showing inflationary trends. pp. 14770-2
24. LEGISLATIVE PROGRAM. Sen. Johnson received consent to provide for the call of the calendar today (Aug. 19), beginning with S. 1711, the proposed International Food for Peace Act of 1959, and Sen. Johnson stated that it may be possible to consider a Public Law 480 bill and S. 2524, to prevent, under certain conditions States or political subdivisions from imposing on a person a net income tax on income derived from interstate commerce. pp. 14749, 14815

ITEMS IN APPENDIX

25. FARM PROGRAM. Extension of remarks of Sen. Neuberger stating that "the American farmer, of late, has been suffering what might be called a bad press," and inserting an editorial, "The Farmer's Public Relations." pp. A7107-8

Aug 17, 1959

24. SCIENTIFIC AWARDS. Passed with amendments H. R. 6288, to establish a National Medal of Science to provide recognition for individuals who make outstanding contributions in the physical, biological, mathematical, and engineering sciences. pp. 15030-1
25. SMALL BUSINESS. The Banking and Currency Committee reported without amendment H. R. 8599, to amend the Small Business Act so as to increase the revolving fund of the Small Business Administration from \$900,000,000 to \$1,100,000,000 (H. Rept. 946). p. 15033
26. PUBLIC BUILDINGS. Rep. Huddleston commended the GSA for using bituminous coal for the heating of Government buildings. p. 15068
27. RECLAMATION. Rep. Hagen commended the conferees for including funds in the supplemental appropriation bill for loans for construction of an irrigation distribution system in Tulare County, Calif. pp. 15068-9
28. MONOPOLIES. Rep. Patman inserted an article on the danger of monopolies, including a statement that big dairy plants are "moving swiftly toward control of the entire dairy industry." p. 15078
29. WATER RESOURCES. The Judiciary Committee reported with amendments H. R. 5711, to grant the consent of Congress to the Wabash Valley compact (H. Rept. 948). p. 15080
30. FOOD STAMPS. The "Daily Digest" states that the Rules Committee tabled a motion to grant a rule on H. R. 1359, to provide for the establishment of a food stamp plan for the distribution of \$1 billion worth of surplus food commodities a year to needy persons and families in the U. S. p. D795
31. THE AGRICULTURE COMMITTEE voted to report (but did not actually report) the following bills with amendment: H. R. 8639, "to create an Agricultural Research and Development Commission" (industrial uses research bill); H. R. 8578, to permit the harvesting of hay on conservation reserve acreage under certain conditions; H. R. 4874, to provide for preserving wheat acreage history on farms on which the farm marketing excess is adjusted to zero because of underproduction; and H. R. 8043, to authorize certain conservation reserve payments to producers due to erroneous contract approval. p. D794
32. RESEARCH. The Merchant Marine and Fisheries Committee voted to report (but did not actually report) H. R. 5813, to undertake continuing studies of the effects of insecticides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources; and H. R. 5004, to undertake continuing research on the biology of the migratory marine species of game fish of the U. S. and contiguous waters; and the "Daily Digest" states that the committee re-referred to subcommittee H. R. 5814, to provide for cooperative unit programs of fish and wildlife resources research and demonstration between the Federal Government of the U. S., colleges, the several States and private organizations. p. D795

ITEMS IN APPENDIX

33. STATEHOOD. Rep. Porter inserted an editorial discussing why Puerto Rico "does not want to be a State." pp. A7156-8
34. FARM LABOR. Extension of remarks of Sen. Williams, N. J., inserting several articles discussing the economic and social problems of migrant laborers with special reference to the migratory workers in Maryland. pp. A7158-9, A7162

35. ELECTRIFICATION; RECLAMATION. Extension of remarks of Sen. Gruening inserting an address by Harold Moats, Corps of Engineers, favoring the proposed construction of a dam at Rampart on the Yukon. pp. A7159-60
Extension of remarks of Rep. Ullman expressing his opposition to private development of the Middle Snake River and inserting an editorial on this subject. p. A7180
36. CONSERVATION. Extension of remarks of Sen. Williams, N. J., favoring the proposed Youth Conservation Corps bill and inserting an article, "Revived CCC Might Do Great Job." p. A7165
37. CIVIL DEFENSE. Extension of remarks of Sen. Young inserting an editorial, "Parkinson's Law," and stating that he believes the editorial "presents convincingly the waste of taxpayers' money on an ever-increasing futile bureaucracy which will only perpetuate the already useless and inept Office of Civil and Defense Mobilization." pp. A7173-4
38. DEBT MANAGEMENT. Extension of remarks of Rep. Curtis, Mo., expressing his "regret" that no action has been taken on the legislative recommendation of the President designed to provide for economical management of the public debt. p. A7179

BILLS INTRODUCED

39. SURPLUS COMMODITIES. H. R. 8730, by Rep. Dent, and H. R. 8736, by Rep. Holland, to provide for the donation of surplus commodities to the States for distribution to needy persons; to Agriculture Committee.
40. PERSONNEL. H. R. 8729, by Rep. Chelf, to amend sections 111 and 1114 of title 18, United States Code; to Judiciary Committee.
H. R. 8738, by Rep. Murray, and H. R. 8739, by Rep. Rees, Kan., to improve the work of Federal employees through evaluation of work performance and to amend the Performance Rating Act of 1950; to Post Office and Civil Service Committee.
41. REA; ELECTRIFICATION. S. 2563, by Sen. Ellender (for himself and Sen. Aiken) (by request), to amend the Rural Electrification Act to provide a revolving fund for certain loans by the Secretary of Agriculture, for improved budget and accounting procedures; to Agriculture and Forestry Committee.

BILLS APPROVED BY THE PRESIDENT

42. SPECIAL MILK. S. 1289, to increase by \$6 million (to \$81,000,000) for the fiscal year 1960 and by \$9 million (to \$84,000,000) for the fiscal year 1961 the maximum amount of CCC funds which may be used for the special milk program. Approved August 18, 1959 (Public Law 86-163, 86th Congress).
43. ACREAGE ALLOTMENTS; COTTON. S. 1455, to provide that beginning with the 1960 crop, the entire current farm allotment shall be regarded as planted if during the current year or either one of the two preceding years the acreage actually planted or devoted to the commodity on the farm (or regarded as planted because of participation in the soil bank) was 75 percent or more of the farm allotment, and to authorize the transfer of unused cotton acreage allotments to other farms, first within each county, and then within the State. Approved August 18, 1959 (Public Law 86-172, 86th Congress).

GRANTING CONSENT TO THE WABASH VALLEY COMPACT

AUGUST 19, 1959.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WILLIS, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 5711]

The Committee on the Judiciary, to whom was referred the bill (H.R. 5711) granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

1. Page 1, lines 4 and 5, strike out the words "to enter into the Wabash Valley Compact" and insert in lieu thereof—

for the compact, known as the Wabash Valley Compact.
(Laws of Indiana, 1959, chapter 3, approved February 26, 1959, House Enrolled Act No. 22; Laws of Illinois, 1959, approved March 20, 1959, Senate bill No. 78).

2. Page 13, line 16, add the following new sections:

SEC. 5. Nothing contained in this Act or in the compact herein consented to shall be construed as impairing or affecting the authority of the United States of any of its rights or jurisdiction in and over the area or waters which are the subject of the compact.

SEC. 6. That all future legislation enacted pursuant to Article V, Clause E of the compact, requiring concurrent action by the States of Indiana and Illinois, shall be submitted to Congress for approval before such legislation becomes effective.

SEC. 7. Nothing contained herein shall be interpreted or construed as approving any act, action or conduct which is or has been or may be in violation of existing law nor shall

anything herein contained constitute a defense to any action, suit or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action or conduct.

SEC. 8. The right is hereby reserved to the Congress or any of its standing committees to require the disclosure and furnishing of such information or data by the Wabash Valley Interstate Commission as is deemed appropriate by the Congress or any such Committee.

EXPLANATION OF AMENDMENTS

Amendment No. 1: The purpose of this amendment is to incorporate by reference the specific acts of the laws of Indiana and Illinois to which congressional consent is being given.

Amendment No. 2: Amendment No. 2 adds four sections to the bill, section 5 through section 8.

Section 5 was suggested by the Department of the Army and is a standard interpretation clause providing that nothing in the congressional act shall be construed as impairing or affecting the authority of the United States over the area or waters which are the subject of the compact.

Section 6 requires that all future legislation enacted pursuant to article V, clause E of the compact which is adopted by the States of Indiana and Illinois be submitted to Congress for approval before such legislation becomes effective. This is for the reason that any modification of the instant compact will constitute a new or further agreement which of course should be submitted to Congress for approval.

Section 7 is a standard interpretation section and preserves antitrust violations by providing that nothing in the instant bill is to be construed as containing a defense to any prohibited antitrust or monopolistic act.

Section 8 was inserted by the committee and reserves to the Congress the right to require the disclosure of information and furnishing of such data as Congress or any of its standing committees may from time to time require of the Wabash Valley Interstate Commission.

PURPOSE AND STATEMENT

The general purpose of the bill is to grant the consent of Congress to the compact entered into by Indiana and Illinois for the coordinated development of the natural resources of the Wabash Valley.

Under the terms of the compact, there is established the Wabash Valley Interstate Commission with a membership consisting of representatives from the two States with provision for representation of the Federal Government on the commission in a nonvoting capacity.

The commission would be authorized to perform, generally, the following functions:

- (1) promote the balanced development of the Wabash Valley;
- (2) recommend integrated plans and programs for the conservation, development, and proper utilization of the water, land, and related natural resources of the area; and

(3) make recommendations to the legislative and executive branches of the member States and the Federal Government.

The Wabash River forms the state boundary between Indiana and Illinois for some 200 miles. The valley covers two-thirds of the State of Indiana and one-seventh of the State of Illinois, encompassing 2½ million people and covering a total area of 33,100 square miles.

During recent years, because of floods, great destruction as well as death and personal injury have been experienced. In 1957-58 the loss of farm crops alone exceeded \$48½ million in the Wabash Valley. In February of 1959 a flood disaster cost 3 lives, made an estimated 2,500 persons homeless, and resulted in other damage exceeding \$10½ million.

The new Wabash Valley Compact Commission will be charged with the duty of coordinating, encouraging, and/or correlating the activities of the many agencies in the two States and Federal Government concerning flood control, water resources development, soil conservation, and to form a comprehensive plan for solving the many problems concerning the valley's natural resources which are not presently being properly utilized.

The committee considers that the objectives of this bill are generally desirable and consistent with the Federal policy of encouraging greater participation by State and local governments in the conservation and development of water and related land resources. In approving this legislation, it has incorporated certain amendments in the bill which will safeguard Federal interests and limit the extent to which additional functions can be delegated by the States to the commission without specific congressional consent.

ANALYSIS OF BILL

Section 1 of the bill contains the provisions of the compact proper and under its terms there is established a Wabash Valley Interstate Commission, with 14 members from the two States and a nonvoting Federal representative appointed by the President. Seven members of the commission will be appointed by each of the Governors of the States of Illinois and Indiana. The commission will have advisory and related functions with respect to resources development of the region and would be authorized to cooperate with other governmental agencies, State as well as Federal, and to make recommendations concerning plans and programs for the development, conservation, and utilization of the water, land, and related natural resources of the area.

Section 2 of the bill authorizes the President to appoint a Federal nonvoting representative to the commission. This representative would be required to report to the President directly or through such official agency as the President specifies. It also provides his compensation not in excess of \$100 per diem nor in the aggregate more than \$10,000 per year, to be paid from funds available to the President in connection with the appropriations for the White House or for special projects. If the Federal representative be an employee of the United States, he is to serve without additional compensation, provided that if the representative is a retired Federal employee, he may be appointed without prejudice to his retired status and receive compensation in addition to his retired pay not to exceed \$12,000 per annum. Provision is also made for his office and travel expenses.

Section 3 requires the Wabash Valley Interstate Commission to make annual reports to Congress.

Section 4 reserves the right to Congress to alter, amend or repeal the instant bill, if it becomes law.

Section 5 is a standard interpretation clause providing that nothing in the congressional act shall be construed as impairing or affecting the authority of the United States over the area or waters which are the subject of the compact.

Section 6 requires that all future legislation enacted pursuant to article V, clause E of the compact which is adopted by the States of Indiana and Illinois be submitted to Congress for approval before such legislation becomes effective.

Section 7 is a standard interpretation section and preserves Federal antitrust prohibitions by providing that nothing in the instant bill is to be construed as containing a defense to any prohibited antitrust or monopolistic act.

Section 8 reserves to the Congress the right to require the disclosure of information and the furnishing of such data as Congress or any of its standing committees may from time to time require of the Wabash Valley Interstate Commission.

COSTS

This legislation authorizes an appropriation of not to exceed \$10,000 a year as compensation for the Federal representative to the Wabash Valley Commission, with the proviso that if said Federal representative is a retired Federal employee, his compensation, including his retirement pay, shall not exceed \$12,000 per year.

It authorizes the appropriation of no other Federal funds.

EXECUTIVE DEPARTMENT COMMUNICATIONS

The legislation, with the amendments which have been incorporated, has either the approval or comments, with no objections, of the Department of the Interior, the Department of the Army, the Tennessee Valley Authority, and the Bureau of the Budget and St. Lawrence Seaway Development Corporation.

The Department of Justice, the Department of Agriculture, and the Federal Power Commission have suggested amendments to the bill, many of which have been incorporated, either verbatim or in substance. Their reports follow:

DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,

Washington, D.C., July 17, 1959.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.*

DEAR MR. CELLER: This responds to your request for the views of this Department on H.R. 5463, H.R. 5489, H.R. 5541, H.R. 5550, H.R. 5603, H.R. 5609, H.R. 5660, H.R. 5670, H.R. 5711, H.R. 5753, H.R. 5759, H.R. 5947, and H.R. 5970, identical bills granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes.

We would have no objection to the enactment of any one of these measures, subject to consideration of the suggestions contained herein.

The enactment of one of the bills would give the consent of the Congress to the States of Illinois and Indiana to enter into the Wabash Valley compact. The principal objective of the compact appears to be the coordinated development of the water, land, and related resources of the Wabash Valley. This would be accomplished through the Wabash Valley Interstate Commission, which would be established with a membership coming from the two member States, with provision for representation of the Federal Government on the commission in a nonvoting capacity. The compact would be binding until renounced by legislative action of either member State.

The commission would be authorized to perform, among other things, the following functions: (1) promote the balanced development of the Wabash Valley; (2) recommend integrated plans and programs for the conservation, development, and proper utilization of the water, land, and related natural resources of the area; and (3) make recommendations to the legislative and executive branches of the member States and the Federal Government.

Section 2 of the several bills would authorize the appointment by the President of a Federal representative to the commission. That representative would be required to report to the President directly or through such official or agency as the President should specify.

This Department's Fish and Wildlife Service has made some studies in the area included within the Wabash Valley as defined in article II of the proposed compact, and further studies are planned in connection with proposed developments. The area supports upland game, white-tailed deer, and fur animals; provides good game fishing; and is heavily used by migrating waterfowl. Any reservoirs in the southern half of the basin will provide wintering areas for ducks and geese. While we believe the stated objectives of the proposed compact include the preservation and development of fish and wildlife resources as a part of planning and programing the conservation, development and proper utilization of the natural resources of the Wabash Valley, we suggest the compact be made more definite in this respect by including in the first sentence of article I and in paragraph B. (4) of article VI specific reference to fish and wildlife among the other purposes mentioned therein.

Not only would the compact make provision for, and section 2 of any of the bills authorize, Federal representation on the commission, but we are pleased to note that under paragraph (b) of article V the commission could establish and cooperate with advisory and technical committees which would include, among others, representatives of the Federal Government. This Department will be willing to cooperate with the commission in any endeavor which is of concern to this Department, such as means to conserve and develop fish and wildlife.

We offer one other suggestion for your consideration, namely, that the words "and approval" in the title of the bills be deleted to conform the title of any bill which may be acted upon favorably to the text.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

ROSS LEFFLER,
Assistant Secretary of the Interior.

DEPARTMENT OF THE ARMY,
Washington, D.C., July 22, 1959.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H.R. 5463, 5489, 5541, 5550, 5603, 5609, 5660, 5670, 5711, 5753, 5759, 5947, and 5970, 86th Congress, bills granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes. The Secretary of Defense has assigned to the Department of the Army the responsibility for preparation of a report.

These bills would give the consent of Congress to the States of Illinois and Indiana to enter into a Wabash Valley compact under which there would be established a Wabash Valley Interstate Commission. This commission would be authorized to recommend a comprehensive and coordinated plan for the development, utilization, and conservation of the water, land, and related natural resources of the Wabash Valley. It would also perform certain other functions with a view to promoting the full and efficient development of the basin. The proposed legislation would authorize the President to appoint a Federal representative to the commission. The Federal representative would have no vote.

The Department of the Army agrees that there should be a comprehensive and coordinated program for the Wabash River Basin. We wish to point out, however, that there are a number of means by which such a program may be brought into being. One approach is exemplified by the two study commissions recently established by acts of Congress (72 Stat. 1058 and 1090) to prepare comprehensive and coordinated plans for the river basins of the southeastern United States and the river basins of Texas. In other basins, interagency committees of Federal and State representatives have undertaken the development of such plans. A third means is exemplified by the planning now underway in the Delaware River and Potomac River Basins in which the Corps of Engineers of this Department is developing comprehensive plans with the advice and assistance of other Federal agencies, the State and local entities. The bills under consideration propose a novel approach under which a comprehensive and coordinated basin program would be developed by an interstate commission.

While the Department of the Army would interpose no objection to the establishment of an interstate commission for the Wabash River Basin, we suggest that before the committee reaches a final decision on these bills it give careful consideration to the various means by which comprehensive and coordinated basin programs may be developed, with appropriate recognition of the interests and responsibilities of both the States and the Federal Government. The Committee on Public Works and the Committee on Interior and Insular Affairs have been studying these means for a number of years, and you may wish to obtain the views of these committees on the proposal that in the Wabash River Basin responsibility for comprehensive planning be assigned to an interstate commission.

Should the committee conclude that the legislation in its present form is worthy of enactment, it is the view of this Department that the following new section should be added thereto:

"Nothing contained in this act or in the compact herein consented to shall be construed as impairing or affecting the authority of the United States of any of its rights or jurisdiction in and over the area or waters which are the subject of the compact."

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

TENNESSEE VALLEY AUTHORITY,
Knoxville, Tenn., May 1, 1959.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House Office Building, Washington, D.C.*

DEAR MR. CELLER: This is in response to your letter of April 15 concerning H.R. 5711 and the similar bills relating to the Wabash Valley compact. While we do not have any detailed information about local conditions which the bill seeks to improve, it contains a number of features which we regard as desirable.

The provisions for an inventory of basic land and water needs for industry, recreation, wildlife, forestry, agriculture, and urban growth; the development of a general guide plan for the multipurpose use of water and land resources; and the establishment of procedures for relating individual projects and activities to the guide plan are all constructive. We believe solutions to land and water resource problems must be found in broad and comprehensive treatment of the resources.

TVA has recently gone on record as favoring such a broad approach in a report to Congress entitled "A program for reducing the national flood damage potential." We, of course, are pleased to see the compact recognize the value of cooperative procedures at the State, Federal, and local levels as well as between States. It must be recognized that the compact gives rise to many difficult organizational problems and relationships, but the basic purposes of the proposal seem sound.

This letter has been submitted to the Bureau of the Budget, which advises that it has no objection to our submitting the letter to your committee.

Sincerely yours,

HERBERT D. VOGEL,
Chairman of the Board.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., July 15, 1959.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.*

MY DEAR MR. CHAIRMAN: This is in reply to your letter of April 15, 1959, requesting the views of the Bureau of the Budget on H.R. 5711, 5463, 5541, 5550, 5603, 5609, 5489, 5660, 5670, 5753, 5759, 5947, and 5970, bills granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes.

Any one of these bills, if enacted, would grant consent to the States of Illinois and Indiana to enter into a Wabash Valley compact. The general purpose of the compact is to further the coordinated development of the resources of the Wabash Valley. Under the terms of the compact, a Wabash Valley Interstate Commission would be created with 14 members from the two States and a nonvoting Federal representative appointed by the President. The commission would have broad advisory and related functions with respect to resources development in the region, and would be authorized to cooperate with other governmental agencies and to make recommendations concerning plans and programs for the conservation, development, and utilization of the water, land, and related natural resources of the area.

The Bureau of the Budget considers that the objectives of these bills are generally desirable and consistent with the policy of encouraging greater participation by State and local governments in the conservation and development of water and related land resources.

In their present form, however, the bills lack certain significant safeguarding provisions. The Departments of the Army and Justice, in reports being submitted to your committee, have recommended that the bills be modified to incorporate amendments which would add standard provisions safeguarding Federal interests and limiting the extent to which additional functions can be delegated by the States to the commission without specific congressional consent. The Bureau of the Budget concurs in these recommendations.

Accordingly, the Bureau of the Budget would have no objection to enactment of one of these measures if amended as recommended in the agencies' reports.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
Massena, N.Y., June 2, 1959.

Re H.R. 5711, granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes, and similar bills, H.R. 5643, 5489, 5541, 5550, 5603, 5609, 5660, 5670, 5753, 5759, 5947, and 5970.

HON. EMANUEL CELLER,
Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request for an expression of the views and recommendations of the St. Lawrence Seaway Development Corporation concerning proposed legislation granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

This legislation, among other things, provides for the consultation and cooperation between the States of Illinois and Indiana in the conservation, development, the flood control and water-land management of the Wabash Valley area. Although this Corporation has made some inquiries concerning the effect of the proposed State compact, we have been unable to make a survey of what general effect the legislation would have. We do not perceive that the

seaway would be adversely affected, by this legislation, but on the contrary it is quite possible that the development of the Wabash Valley would be beneficial to the Great Lakes area and in turn to the seaway.

Accordingly, this Corporation has no objection to the enactment of this legislation.

Sincerely yours,

LEWIS G. CASTLE, *Administrator.*

JULY 16, 1959.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bills (H.R. 5463, H.R. 5489, H.R. 5541, H.R. 5550, H.R. 5603, H.R. 5609, H.R. 5660, H.R. 5670, H.R. 5711, H.R. 5753, H.R. 5759, H.R. 5947, and H.R. 5970) granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes.

The bills would authorize the States of Illinois and Indiana to enter into a compact creating a Wabash Valley Interstate Commission which would have broad advisory, consultative, and related functions with a view to promotion of the balanced development of the Wabash Valley, with special reference to the conservation, development, and proper utilization of the water, land, and related natural resources of the valley. Nonvoting Federal representation on the commission is provided for. While no provision is made for further consideration of the compact by the Congress after its approval by the States, the consent granted in the bills is limited to a compact worded as specified in the bills.

Section E of article VI of the compact provides that the commission created by the compact may undertake such functions, additional to those specified in the compact, as may be delegated to or imposed upon it from time to time by the action of the legislature of a party State concurred in by the legislature of the other. Because provisions contained in this compact and the consent legislation may be urged as precedents for similar provisions in subsequent compacts or legislation it is recommended that a reasonable limitation be placed upon the functions delegable to the commission. It is suggested that the following limitation, to be incorporated in the legislation as a new section preceding the section 3, would be reasonable:

"Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact."

A similar problem arose with respect to the Tennessee Basin water pollution control compact and was similarly resolved. See section 4 of the act of August 23, 1958 (72 Stat. 823; S. Rept. 1961, 85th Cong., and H. Rept. 1044, 85th Cong., on H.R. 6701).

While there is nothing in the act as written which is objectionable from an antitrust standpoint, because of the latitude which was given

the commission to carry out the purpose of the legislation and because of the additional functions that may be later delegated to or imposed upon the commission, it is recommended that a savings clause be added to read as follows:

"Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct."

It is noted also that the description of the territory included in the Wabash Valley is in very general terms and that there is no method provided for determining the boundaries in case of dispute.

Subject to the foregoing considerations whether this legislation should be enacted involves matters for which the Department of Justice does not have primary responsibility, and accordingly we make no recommendation as to its enactment.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., July 16, 1959.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives.*

DEAR CONGRESSMAN CELLER: This is in reply to your request of April 15, 1959, for the views of this Department on H.R. 5711, a bill granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes, and other similar bills.

The Department considers the objective of the compact to be constructive and that its provisions do not appear to adversely affect the functional responsibilities or interests of this Department, but considers that the legal aspects of certain provisions of the compact may be highly questionable so this Department feels that it should refrain from taking a position on the bill.

The bill would give the consent of the Congress to the States of Illinois and Indiana to enter into a Wabash Valley Compact in a specific form as set forth in the bill. The purposes of the compact would be to encourage and facilitate coordinated development of the valley as a region, to relate its agricultural, industrial, commercial, recreational, transportation, development, and other problems to its opportunities and to establish an agency with powers sufficient and appropriate to further regional planning for the valley.

The bill sets forth a specific form of compact and would give the consent of the Congress to the compact in that form. The compact includes a provision on page 11, lines 10 through 13 of the bill, under which the compact commission established by the compact might undertake whatever additional functions the legislatures of the two States might from time to time deem advisable. This action would be taken without the consent of the Congress.

The compact provides that it shall become effective when entered into and enacted into law by the legislatures of the two concerned States. We understand that such action has been taken by the States so that upon enactment of the bill, the compact would become effective.

Neither the compact nor other parts of the bill contain any indication of participation by a representative of the United States in the development of the provisions of the compact. We feel that it would have been more desirable procedure for the Congress first to have authorized the States to negotiate a compact with participation by a representative of the United States, for the States then to have approved whatever compact was negotiated, and for the Congress then to consider giving its consent to the compact. By such an approach there would have been opportunity to give full consideration to the need for and desirability of including provisions, such as those beginning on page 10, line 20, and extending through line 2 of page 11 of the bill, by which the Wabash Valley Interstate Commission would be authorized to engage in original investigation and research in apparent duplication of existing authorities of various Federal and State agencies

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

FEDERAL POWER COMMISSION REPORT ON H.R. 5711, 5463, 5489, 5541, 5550, 5603, 5609, 5660, 5670, 5753, 5759, 5947, AND 5790, 86TH CONGRESS, BILLS GRANTING THE CONSENT AND APPROVAL OF CONGRESS TO THE WABASH VALLEY COMPACT, AND FOR RELATED PURPOSES

These bills which are identical in substance would give the consent of Congress to the States of Illinois and Indiana to enter into the Wabash Valley Compact in the form set out in the bills.

Article III of the proposed compact would create the Wabash Valley Interstate Commission, composed of seven members from each party State. Section 2 of the bills provides that the President shall appoint to such Commission a Federal representative who would have no vote thereon.

Among the functions of the proposed commission would be that of preparing in cooperation with appropriate governmental agencies a master plan for the identification and programing of public works. Also included would be the function of reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation, and transportation purposes. The commission would make recommendations for appropriate action to the legislatures, executive heads, and agencies of the party States and of the Federal Government.

The functions of the proposed commission appear to be concerned principally with the formulation and recommendation of integrated plans and programs for the conservation, development, and proper utilization of the water, land, and related natural resources of the Wabash Valley, including coordination of the activities of various agencies in the basin and the cooperation with such agencies in plan-

ning activities. The present planning and developmental activities of various Federal agencies concerned with the water, land, and related natural resources within the area involved, including those functions assigned to the Federal Power Commission, would not be adversely affected.

The Commission offers no objection to enactment of these bills.

FEDERAL POWER COMMISSION,
By JEROME K. KUYKENDALL, *Chairman*.

STATE LEGISLATIVE ACTS

LAWS OF INDIANA, 1959

(Chapter 3, approved February 26, 1959)

HOUSE ENROLLED ACT NO. 22

AN ACT entering into and enacting into law The Wabash Valley Compact; providing for the representation of this state on the Commission created thereby; and providing for the cooperation of agencies of this state with the Commission; and making an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. The Wabash Valley Compact is hereby enacted into law, and entered into by this state as a party thereto with any other state legally joining therein in the form substantially as follows:

THE WABASH VALLEY COMPACT

ARTICLE I—FINDINGS AND PURPOSE

The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that under-utilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the Valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the Valley.

ARTICLE II—THE VALLEY

As used in this compact, the term "Wabash Valley" shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

ARTICLE III—THE WABASH VALLEY INTERSTATE COMMISSION

(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject

to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

(c) The Commission may sue and be sued, and shall have a seal.

(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

(j) The Commission may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

(k) The Commission annually shall make to the Governor of each party state, a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have

been adopted by the Commission which report shall be transmitted to the legislature of said state. The Commission may issue such additional reports as it may deem desirable.

ARTICLE IV—FINANCES

(a) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Subject to appropriation by the respective legislatures the Commission shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

(c) The Commission may meet any of its obligations in whole or in part with funds available to it under Article III(h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article III(h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

(f) The accounts of the Commission shall be open at any reasonable time for inspection.

ARTICLE V—ADVICE AND COOPERATION

(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: *Provided*, That if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal government, and may

cooperate with the use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

ARTICLE VI—FUNCTIONS

The Commission shall have power to:

A. Promote the balanced development of the Wabash Valley by:

(1) Correlating and reporting on data significant to such development.

(2) Recommending the coordination of studies by the agencies of the party states to provide such data.

(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

(4) Recommending standards as guides for local and state zoning and other action which will promote balanced development by encouraging the establishment of industrial parks, to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wild life preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities and other appropriate measures.

(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

(1) Encouraging the classification of Valley lands in terms of appropriate uses.

(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

C. Secure the necessary research and developmental activities by:

(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission

may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

(2) Making contracts for studies, investigations and research in any of the fields of its interest.

(3) Publishing and disseminating reports.

D. Make recommendations for appropriate action to:

(1) The legislatures and executive heads of the party states and the federal government.

(2) The agencies of the party states and the federal government.

E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

ARTICLE VII—ENACTMENT AND WITHDRAWAL

This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

ARTICLE VIII—CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed.

SEC. 2. In pursuance of Article III of the compact, there shall be seven commissioners on The Wabash Valley Interstate Commission, hereinafter called the Commission, from this state. Each commissioner is hereby given all the powers conferred on a commissioner by the compact or which shall be necessary or incidental to the performance of his functions as such a commissioner. The members of the commission shall be appointed by the Governor as follows: On the taking effect of this act, the Governor shall appoint and designate the terms of office of the seven members, four of whom shall serve for a term of four years, and the remainder of whom shall each serve for terms of one, two, and three years, respectively. Thereafter all appointments shall be made for a term of four years. Vacancies occurring in the office of any such commissioner from any reason or cause shall be filled by appointment by the Governor for the unexpired term.

SEC. 3. Upon the execution of a written agreement for the purpose between the Wabash Valley Interstate Commission and the Board of Trustees of the Public Employees' Retirement Fund of Indiana, the employees of said Commission shall be eligible to participate in the Public Employees' Retirement Fund of Indiana in the same manner and with the same rights as employees of this state. By similar written agreement with any agency of this state which may be admin-

istering, participating in, or placing at the disposal of its employees a program of group insurance or other employee welfare plan or service, the Wabash Valley Interstate Commission may make its employees eligible for such program, plan or service.

SEC. 4. All officers of this state are hereby authorized and directed to do all things falling within their respective jurisdiction necessary to or incidental to the carrying out of said compact in every particular, it being hereby declared to be the policy of this state to perform and carry out the said compact and to accomplish the purposes thereof. All officers, bureaus, departments and persons of and in the state government or administration of this state are hereby authorized and directed at reasonable times and upon request of said commission to furnish the said Commission with information and data possessed by them or any of them and to aid said Commission by loan of personnel or other means lying within their legal powers respectively.

SEC. 5. The budget of the estimated expenditures of the Commission shall be submitted to the state budget committee for such period and in form as shall be required by said committee.

SEC. 6. There is hereby appropriated for the fiscal biennium commencing July 1, 1959, the sum of twenty thousand dollars out of any money in the general fund of the state treasury not otherwise appropriated for the purpose of defraying any and all expenses which may be incurred in carrying out the provisions of this act.

SEC. 7. The Governor is hereby authorized and directed to transmit a duly authenticated copy of this act and the compact contained herein to each jurisdiction now party to the compact and to each jurisdiction which subsequently shall become party to the compact.

SEC. 8. Whereas an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage.

LAWS OF ILLINOIS, 1959

(71st General Assembly, 1959)

SENATE BILL NO. 78 IN HOUSE

Reported from Senate, February 11, 1959. Read by title, ordered printed and to a first reading. Approved March 20, 1959. Effective July 1, 1959

A BILL For an Act ratifying and approving an Interstate Compact for the development of the Wabash Valley, providing for the administration thereof, and making an appropriation therefor

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

SECTION 1. The State of Illinois ratifies and approves the following compact:

THE WABASH VALLEY COMPACT

ARTICLE I—FINDINGS AND PURPOSE

The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that underutilization and inadequate benefits from its potential wealth are likely to continue until there is proper

organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the Valley.

ARTICLE II—THE VALLEY

As used in this compact, the term "Wabash Valley" shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

ARTICLE III—THE WABASH VALLEY INTERSTATE COMMISSION

(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

(c) The Commission may sue and be sued, and shall have a seal.

(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees

of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

(j) The Commission may adopt, amend, and rescind bylaws, rules and regulations for the conduct of its business.

(k) The Commission annually shall make to the Governor of each party state, a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission which report shall be transmitted to the legislature of said state. The Commission may issue such additional reports as it may deem desirable.

ARTICLE IV—FINANCES

(a) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Subject to appropriation by the respective legislatures the Commission shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

(c) The Commission may meet any of its obligations in whole or in part with funds available to it under Article III (h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article III (h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds

handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

(f) The accounts of the Commission shall be open at any reasonable time for inspection.

ARTICLE V—ADVICE AND COOPERATION

(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: Provided that if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal government, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

ARTICLE VI—FUNCTIONS

The Commission shall have power to:

A. Promote the balanced development of the Wabash Valley by—

(1) Correlating and reporting on data significant to such development.

(2) Recommending the coordination of studies by the agencies of the party states to provide such data.

(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

(4) Recommending standards as guides for local and state zoning and other action which will promote balanced development by encouraging the establishment of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wild life preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities and other appropriate measures.

(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

(1) Encouraging the classification of Valley lands in terms of appropriate uses.

(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

C. Secure the necessary research and developmental activities by:

(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigations and research on its own account or secure the undertaking thereof by a qualified public or private agency.

(2) Making contracts for studies, investigations and research in any of the fields of its interest.

(3) Publishing and disseminating reports.

D. Make recommendations for appropriate action to:

(1) The legislatures and executive heads of the party states and the federal government.

(2) The agencies of the party states and the federal government.

E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

ARTICLE VII—ENACTMENT AND WITHDRAWAL

This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

ARTICLE VIII—CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed.

SEC. 2. The Governor shall appoint and designate the terms of seven commissioners to represent this State on the Wabash Valley Interstate Commission. Of the Commissioners first appointed, two shall serve for terms expiring April 1, 1961; two for terms expiring April 1, 1963; and three for terms expiring April 1, 1965. At the expiration of the term of each commissioner and of each succeeding commissioner, the Governor shall appoint a successor who shall hold office for a term of six years beginning April 1 of the year in which the preceding term expired. Each commissioner shall hold office until his successor has been appointed and qualified. The Governor shall fill any vacancy by appointment for the unexpired term.

SEC. 3. The several departments, agencies and officers of this state are authorized to cooperate with the Wabash Valley Interstate Commission. Within existing statutory authorizations, any such department, agency or officer may make contract with, lend, or otherwise furnish the Wabash Valley Interstate Commission with such items and services as are contemplated by any provision of the compact.

SEC. 4. The sum of \$20,000, or so much thereof as may be necessary, is appropriated to provide for the ordinary and contingent expenses of the Wabash Valley Interstate Commission for the biennium beginning July 1, 1959. This appropriation shall be used only to pay the proportionate share chargeable to the territory in the Wabash Valley which is located in the State of Illinois.



Union Calendar No. 410

86TH CONGRESS
1ST SESSION

H. R. 5711

[Report No. 948]

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1959

Mr. LIBONATI introduced the following bill; which was referred to the Committee on the Judiciary

AUGUST 19, 1959

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

Granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent of Congress is hereby given to the States
4 of Illinois and Indiana ~~to enter into the Wabash Valley Com-~~
5 ~~paet~~ *for the compact, known as the Wabash Valley Compact*
6 *(Laws of Indiana, 1959, chapter 3, approved February 26,*
7 *1959, House Enrolled Act No. 22; Laws of Illinois, 1959,*
8 *approved March 20, 1959, Senate Bill No. 78), in the form*
9 as follows:

1 “THE WABASH VALLEY COMPACT

2 “ARTICLE I

3 “FINDINGS AND PURPOSE

4 “The party states find that the Wabash Valley has suf-
5 fered from a lack of comprehensive planning for the optimal
6 use of its human and natural resources and that under-
7 utilization and inadequate benefits from its potential wealth
8 are likely to continue until there is proper organization to
9 encourage and facilitate coordinated development of the Wa-
10 bash Valley as a region and to relate its agricultural, indus-
11 trial, commercial, recreational, transportation, development
12 and other problems to the opportunities in the Valley. To
13 this end it is the purpose of the party states to recognize
14 and provide for such development and coordination and to
15 establish an agency of the party states with powers suffi-
16 cient and appropriate to further regional planning for the
17 Valley.

18 “ARTICLE II

19 “THE VALLEY

20 “As used in this compact, the term ‘Wabash Valley’
21 shall mean the Wabash River, its tributaries and all land
22 drained by said river and tributaries, to whatever extent they
23 lie within the party states.

1 "ARTICLE III

2 "THE WABASH VALLEY INTERSTATE COMMISSION

3 "(a) There is hereby created an agency of the party
4 states to be known as the Wabash Valley Interstate Com-
5 mission (hereinafter called the Commission). The Commis-
6 sion shall be composed of seven Commissioners from each
7 party state designated or appointed in accordance with the
8 law of the state which they represent and serving and sub-
9 ject to removal in accordance with such law. The federal
10 government may be represented without vote if provision
11 is made by federal law for such representation.

12 "(b) The Commissioners of the party states shall each
13 be entitled to one vote in the Commission. No action of the
14 Commission shall be binding unless taken at a meeting in
15 which a majority of the members from each party state are
16 present and unless a majority of those from each state concur,
17 provided that any action not binding for such a reason may
18 be ratified within thirty days by the concurrence of a ma-
19 jority of each state. In the absence of any Commissioner,
20 his vote may be cast by another representative or Commis-
21 sioner of his state provided that said Commissioner or other
22 representative casting said vote shall have a written proxy
23 in proper form as may be required by the Commission.

1 “(c) The Commission may sue and be sued, and shall
2 have a seal.

3 “(d) The Commission shall elect annually, from among
4 its members, a chairman, a vice-chairman and a treasurer.
5 The Commission shall appoint an executive director who
6 shall also act as secretary, and who, together with the treas-
7 urer, shall be bonded in such amounts as the Commission
8 may require.

9 “(e) The Commission shall appoint and remove or dis-
10 charge such personnel as may be necessary for the perform-
11 ance of the Commission’s functions irrespective of the civil
12 service, personnel or other merit system laws of any of the
13 party states.

14 “(f) The Commission may establish and maintain, inde-
15 pendently or in conjunction with any one or more of the
16 party states, a suitable retirement system for its employees.
17 Employees of the Commission shall be eligible for social
18 security coverage in respect of old-age and survivors insur-
19 ance provided that the Commission takes such steps as may
20 be necessary pursuant to federal law to participate in such
21 program of insurance as a governmental agency or unit.
22 The Commission may establish and maintain or participate
23 in such additional programs of employee benefits as may be
24 appropriate to afford employees of the Commission terms and

1 conditions of employment similar to those enjoyed by em-
2 ployees of the party states generally.

3 “(g) The Commission may borrow, accept, or contract
4 for the services of personnel from any state or the United
5 States or any subdivision or agency thereof, from any inter-
6 state agency, or from any institution, person, firm or cor-
7 poration.

8 “(h) The Commission may accept for any of its pur-
9 poses and functions under this compact any and all donations,
10 and grants of money, equipment, supplies, materials, and
11 services, conditional or otherwise, from any state of the
12 United States or any subdivision or agency thereof, or inter-
13 state agency, or from any institution, person, firm or cor-
14 poration, and may receive, utilize, and dispose of the same.

15 “(i) The Commission may establish and maintain such
16 facilities as may be necessary for the transacting of its busi-
17 ness. The Commission may acquire, hold, and convey real
18 and personal property and any interest therein.

19 “(j) The Commission may adopt, amend, and rescind
20 bylaws, rules, and regulations for the conduct of its business.

21 “(k) The Commission annually shall make to the Gov-
22 ernor of each party state, a report covering the activities
23 of the Commission for the preceding year, and embody-
24 ing such recommendations as may have been adopted by

1 the Commission which report shall be transmitted to the
2 legislature of said state. The Commission may issue such
3 additional reports as it may deem desirable.

4 "ARTICLE IV

5 "FINANCES

6 "(a) The Commission shall submit to the executive head
7 or designated officer or officers of each party state a budget
8 of its estimated expenditures for such period as may be re-
9 quired by the laws of that jurisdiction for presentation to the
10 legislature thereof.

11 "(b) Each of the Commission's budgets of estimated
12 expenditures shall contain specific recommendations of the
13 amount or amounts to be appropriated by each of the party
14 states. Subject to appropriation by the respective legisla-
15 tures the Commission shall be provided with such funds by
16 each of the party states as are necessary to provide the
17 means of establishing and maintaining facilities, a staff of per-
18 sonnel, and such activities as may be necessary to fulfill the
19 powers and duties imposed upon and entrusted to the Com-
20 mission.

21 "(c) The Commission may meet any of its obligations
22 in whole or in part with funds available to it under Article
23 III. (h). of this compact, provided that the Commission takes
24 specific action setting aside such funds prior to the incurring
25 of any obligation to be met in whole or in part in this man-

1 ner. Except where the Commission makes use of funds
2 available to it under Article III (h) hereof, the Commission
3 shall not incur any obligations prior to the allotment of funds
4 by the party jurisdictions adequate to meet the same.

5 “(d) The expenses and any other costs for each member
6 of the Commission shall be met by the Commission in ac-
7 cordance with such standards and procedures as it may estab-
8 lish under its bylaws.

9 “(e) The Commission shall keep accurate accounts of
10 all receipts and disbursements. The receipts and disburse-
11 ments of the Commission shall be subject to the audit and
12 accounting procedures established under its bylaws. How-
13 ever, all receipts and disbursements of funds handled by the
14 Commission shall be audited yearly by a qualified public
15 accountant and the report of the audit shall be included in
16 and become a part of the annual report of the Commission.

17 “(f) The accounts of the Commission shall be open at
18 any reasonable time for inspection.

19 “ARTICLE V

20 “ADVICE AND COOPERATION

21 “(a) The Commission shall establish a technical advi-
22 sory committee which shall be composed of representatives
23 of such departments or agencies of the governments of the
24 party states as have significant interest in the subject matter
25 of the Commission's work: Provided that if pursuant to the

1 laws of a party state a representative of any such depart-
2 ment or agency serves as a member of the Commission said
3 department or agency need not be represented on the tech-
4 nical advisory committee. The Commission shall provide
5 under its bylaws for procedures for the reference of questions
6 to such committee.

7 “(b) The Commission may establish other advisory and
8 technical committees composed of private citizens, expert
9 and lay personnel, representatives of industry, labor, com-
10 merce, agriculture, civic associations, and officials of local,
11 state and federal government, and may cooperate with and
12 use the services of any such committee and the organizations
13 which they represent in furthering any of its activities under
14 this compact. The Commission shall encourage citizen
15 organization and activity for the promotion of the objectives
16 of this compact.

17 “ARTICLE VI

18 “FUNCTIONS

19 “The Commission shall have power to:

20 “A. Promote the balanced development of the
21 Wabash Valley by

22 “(1) Correlating and reporting on data signifi-
23 cant to such development.

24 “(2) Recommending the coordination of

1 studies by the agencies of the party states to provide
2 such data.

3 “(3) Publishing and disseminating materials
4 and studies which will encourage the economic de-
5 velopment of the Valley.

6 “(4) Recommending standards as guides for
7 local and state zoning and other action which will
8 promote balanced development by encouraging the
9 establishing of industrial parks to facilitate in-
10 dustrial development, the reservation of stream bank
11 and lake shore areas for recreation and public access
12 to water, the preservation of marshes and other
13 suitable areas as wild life preserves, the afforesta-
14 tion and sustained yield forest management of sub-
15 marginal lands, the protection of scenic values and
16 amenities and other appropriate measures.

17 “(5) Preparing in cooperation with appro-
18 priate governmental agencies a master plan for the
19 identification and programming of public works.

20 “(6) Cooperating with all appropriate govern-
21 mental agencies in the encouragement of tourist
22 traffic and facilities in the Valley.

23 “B. Recommend integrated plans and programs for

1 the conservation, development and proper utilization
2 of the water, land and related natural resources of the
3 Wabash Valley, including but not limited to:

4 “(1) Encouraging the classification of Valley
5 lands in terms of appropriate uses.

6 “(2) Cooperating in the development of ap-
7 propriate plans for flood protection, including but
8 not limited to the construction of protective works
9 and reservoirs.

10 “(3) Developing public awareness of the need
11 for flood plain zoning and in cooperation with the
12 appropriate agencies of the party states and their
13 political subdivisions evolving standards for the im-
14 plementation and application of such zoning in the
15 Valley.

16 “(4) Reviewing the need for and appropriate
17 sources of suitable water supplies for domestic, mu-
18 nicipal, agricultural, power, industrial, recreation
19 and transportation purposes.

20 “(5) Encouraging a pattern of land use and
21 resource management which will increase the natu-
22 ral wealth of the Valley and promote the welfare
23 of its inhabitants.

24 “(6) In cooperation with appropriate agencies,
25 analyzing the recreational needs and potential of the

Valley and developing a program for the use and maximization of recreational resources.

“C. Secure the necessary research and developmental activities by:

“(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

“(2) Making contracts for studies, investigations and research in any of the fields of its interest.

“(3) Publishing and disseminating reports.

“D. Make recommendations for appropriate action to:

“(1) The legislatures and executive heads of the party states and the federal government

“(2) The agencies of the party states and the federal government

“E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

1 "ARTICLE VII

2 "ENACTMENT AND WITHDRAWAL

3 "This compact shall become effective when entered
4 into and enacted into law by the States of Illinois and
5 Indiana. The compact shall continue in force and remain
6 binding upon each party state until renounced by legislative
7 action of either party state.

8 "ARTICLE VIII

9 "CONSTRUCTION AND SEVERABILITY

10 "The provisions of this compact shall be severable and
11 if any phrase, clause, sentence or provision of this compact
12 is declared to be unconstitutional or the applicability thereof
13 to any state, agency, person or circumstances is held invalid,
14 the constitutionality of the remainder of this compact and the
15 applicability thereof to any other state, agency, person or
16 circumstance shall not be affected thereby. It is the legis-
17 lative intent that the provisions of this compact be reasonably
18 and liberally construed."

19 SEC. 2. A Federal representative to the Wabash Valley
20 Interstate Commission shall be appointed by the President,
21 and he shall report to the President either directly or through
22 such agency or official as the President may specify. Such
23 representative shall have no vote on the commission. His
24 compensation shall be in such amount, not in excess of \$100
25 per diem, as the President shall specify, but the total amount

1 of compensation payable in any one calendar year shall not
2 exceed \$10,000: *Provided*, That if the Federal representa-
3 tive be an employee of the United States he shall serve with-
4 out additional compensation: *Provided further*, That a re-
5 tired military officer or a retired Federal civilian officer or em-
6 ployee may be appointed as such representative, without prej-
7 udice to his retired status, and he shall receive compensation
8 as authorized herein in addition to his retired pay or annuity
9 but the sum of his retired pay or annuity and such additional
10 compensation as may be paid hereunder shall not exceed
11 \$12,000 in any one calendar year. The Federal representa-
12 tive shall be entitled to travel expenses, he shall also be pro-
13 vided with office space, stenographic service, and other nec-
14 essary administrative services. The compensation of the
15 Federal representative shall be paid from available appro-
16 priations for the White House Office or from funds available
17 to the President in connection with special projects. Travel
18 expenses, office space, stenographic, and administrative serv-
19 ices shall be paid from any available appropriations selected
20 by the head of such agency or agencies as may be designated
21 by the President to provide such expenses.

22 SEC. 3. The Wabash Valley Interstate Commission con-
23 stituted by the compact shall make an annual report to Con-
24 gress not later than sixty days after the beginning of each
25 regular session thereof.

1 SEC. 4. The right to alter, amend, or repeal this Act
2 is expressly reserved.

3 SEC. 5. *Nothing contained in this Act or in the compact*
4 *herein consented to shall be construed as impairing or affect-*
5 *ing the authority of the United States of any of its rights*
6 *or jurisdiction in and over the area or waters which are the*
7 *subject of the compact.*

8 SEC. 6. *That all future legislation enacted pursuant to*
9 *article V, clause E of the compact, requiring concurrent*
10 *action by the States of Indiana and Illinois, shall be sub-*
11 *mitted to Congress for approval before such legislation be-*
12 *comes effective.*

13 SEC. 7. *Nothing contained herein shall be interpreted or*
14 *construed as approving any act, action, or conduct which is*
15 *or has been or may be in violation of existing law nor shall*
16 *anything herein contained constitute a defense to any action,*
17 *suit, or proceeding pending or hereafter instituted on account*
18 *of any prohibited antitrust or monopolistic act, action, or*
19 *conduct.*

20 SEC. 8. *The right is hereby reserved to the Congress or*
21 *any of its standing committees to require the disclosure and*
22 *furnishing of such information or data by the Wabash Val-*
23 *ley Interstate Commission as is deemed appropriate by the*
24 *Congress or any such committee.*

86TH CONGRESS
1ST SESSION

H. R. 5711

[Report No. 948]

A BILL

Granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

By Mr. LIBONATI

MARCH 16, 1959

Referred to the Committee on the Judiciary

AUGUST 19, 1959

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued August 24, 1959
For actions of August 21, 1959..
86th-1st, No. 144

Adjournment.....	21
Appropriations.....	6
ASC committees.....	1
Atomic radiation.....	16
Color additives.....	5
Committee expenditures..	10
Cotton.....	25
Credit unions.....	11
Durum wheat.....	2
Economic growth.....	28
Electrification.....	3
Fairs.....	7
Farm program.....	29
Farm safety.....	27
Farm subsidies.....	15
Food for peace.....	20
Food stamps.....	12,20
Freight cars.....	20
Foreign trade.....	19

Forestry.....	17
Health.....	14,22
Inflation.....	28
Information.....	7
Land reform.....	26
Lands.....	8,24,26
Legislative program.....	20
Noxious plants.....	8
Peanuts.....	20
Personnel.....	14,22
Property.....	9,23
Public Law 480.....	20
Reclamation.....	4
Tobacco.....	18
Water resources.....	4
Weather.....	13
Wheat.....	2
Wood molding.....	19

HIGHLIGHTS: Senate passed bills to: Increase durum wheat allotments. Revise procedures for electing ASC committeemen. Senate agreed to measure expressing sense of Senate on GAO decision relative to certain REA loans. Sen. Symington urged enactment of food stamp plan.

SENATE

1. ASC COMMITTEES. Passed as reported S. 662, to revise the procedures relative to the selection of members and operation of State, county, and community ASC committees. pp. 15313-4
2. DURUM WHEAT. Passed as reported S. 1282, to require the Secretary to increase farm wheat acreage allotments in certain counties in N. Dak., Minn., S. Dak., and Calif. to the extent necessary to meet the demand for durum wheat. pp. 15299-300
3. ELECTRIFICATION. Agreed to as reported S. Res. 21, expressing it as the

sense of the Senate that the Rural Electrification Act should be interpreted so as to permit REA loans to cooperatives for service to persons who are without central-station service if they are located in an area generally served by a power supplier, or loans to persons without service who are located near a line of a power supplier. pp. 15309-10

4. RECLAMATION; WATER RESOURCES. The Judiciary Committee reported with amendments S. 1257, to approve the Wabash Valley Compact (S. Rept. 757). p. 15257

Passed with amendments S. 1136, to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs of the project. pp. 15296-8

Passed with amendment H. R. 968, to provide for construction by the Interior Department of the Bully Creek Dam and other facilities, Vale Federal reclamation project, Ore. pp. 15302-7

Passed without amendment S. 1221, to amend the act authorizing the Crooked River Federal reclamation project, Ore., in order to increase the capacity of certain project features for future irrigation of additional lands. pp. 15311-2

Passed without amendment S. 1514, to amend the act of Aug. 9, 1955, so as to eliminate restrictions on appropriations for investigations of water resources in Alaska. pp. 15301-2

5. COLOR ADDITIVES. The Labor and Public Welfare Committee reported with amendments S. 2197, to amend the Federal Food, Drug, and Cosmetic Act so as to authorize the use of color additives in or on foods, drugs, and cosmetics in accordance with regulations prescribing conditions under which such additives may be safely used (S. Rept. 795). p. 15257
6. APPROPRIATIONS. By a vote of 89 to 0, passed as reported H. R. 8575, the military construction appropriation bill for 1960. pp. 15284-90
7. FAIRS; INFORMATION. Passed with amendments H. R. 8374, to authorize appropriations for Federal participation in the Century 21 Exposition to be held in Seattle, Wash., in 1961 (including USDA participation). Consideration of a similar bill, S. 2065, was indefinitely postponed. pp. 15292-6
8. NOXIOUS PLANTS; LANDS. Passed without amendment S. 861, to authorize State officials to enter upon Federal lands within a State, under certain conditions, for the purpose of destroying noxious plants. pp. 15312-3
9. PROPERTY. Agreed to a House amendment to S. 900, to extend the authority of GSA to pay expenses in connection with the utilization of excess real property. The report of the House Government Operations Committee states that the amendment of the House is a "perfecting amendment since it clearly shows the extent of change to be made in existing law." p. 15314 This bill will now be sent to the President.
10. COMMITTEE EXPENDITURES. Agreed to S. Res. 161, to provide \$15,000 in additional funds for investigations by the Agriculture and Forestry

WABASH VALLEY COMPACT

AUGUST 21, 1959.—Ordered to be printed

Mr. DIRKSEN, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany S. 1257]

The Committee on the Judiciary, to which was referred the bill (S. 1257) granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

AMENDMENTS

1. On page 13, following line 10, add a new section 3, as follows:

SEC. 3. Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact.

2. Page 13, line 11, change "3" to "4".
3. Page 13, line 15, change "4" to "5".
4. Page 13, after line 16, insert the following new section:

SEC. 6. Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

5. Amend the title to read as follows:

A bill granting the consent of Congress to the Wabash Valley Compact, and for related purposes.

PURPOSE

The purpose of the proposed legislation, as amended, is to grant congressional consent to the States of Illinois and Indiana to enter into a compact creating a Wabash Valley Interstate Commission which would have broad advisory, consultative, and related functions with a view to promotion of the balanced development of the Wabash Valley, with special reference to the conservation, development, and proper utilization of the water, land, and related natural resources of the valley. The compact further provides for nonvoting Federal representation on the Commission.

STATEMENT

The Department of the Interior and the Department of Justice have no objection to the enactment of this legislation. There have been, however, certain suggestions and recommendations made by the Departments, which have been incorporated, by amendment, in S. 1257. The reports of the Department of Justice and the Department of the Interior are hereto attached and made a part hereof.

The State of Indiana approved the compact, through its general assembly and signature of the Governor, on February 26, 1959. The State of Illinois likewise approved the compact, through its general assembly and signature of the Governor, on March 20, 1959. In order to avoid duplication of the contents of the compact in this report, only one of the acts is attached hereto; however, the committee files contain copies of the acts of each of the two party States.

Article I of the compact declares that the party States find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that underutilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development, and other problems to the opportunities in the valley. To this end it is the purpose of the party States to recognize and provide for such development and coordination and to establish an agency of the party States with powers sufficient and appropriate to further regional planning for the valley.

The chief assets of the Wabash Valley are water and soil and an abundance of coal, oil, gas, sand, gravel, clay, limestone, and other valuable minerals. The valley covers two-thirds of the State of Indiana and one-seventh of the State of Illinois, encompassing approximately 2½ million people and covering a total of about 33,100 square miles.

The opening of the St. Lawrence Seaway in 1959 made a tremendous impact on the ability of the Wabash Valley to prosper and grow. The compact, as set forth in the bill, is an effort of the States of Indiana and Illinois to remain abreast of the future growth of the Wabash Valley. The Wabash Valley Association, Inc., in its platform for 1959, states that the floods in recent years have caused the rivers in the Wabash Valley to change their course and destroy very valuable land and buildings as well as destroy the boundary between tracts of land, and that the State boundary between Indiana and Illinois in part is the

Wabash River, which is constantly changing its course. The association in its platform urges appropriate local, State, and Federal agencies to initiate a systematic program of bank stabilization to prevent this loss of valuable real estate and personal property in the Wabash Valley. The association estimates that \$48,500,000 of agricultural losses have been inflicted on the valley during 1957-58, not including inestimable human suffering and personal property devastation. The alleviation of such damages, insofar as possible, is one of the major aims of the compact. Attached hereto and made a part hereof is a letter from the Wabash Valley Association, Inc., dated May 18, 1959, relating to the compact.

In its report the Department of Justice states as follows:

Section E of article VI of the compact provides that the Commission created by the compact may undertake such functions, additional to those specified in the compact, as may be delegated to or imposed upon it from time to time by the action of the legislature of a party State concurred in by the legislature of the other. Because provisions contained in this compact and the consent legislation may be urged as precedents for similar provisions in subsequent compacts or legislation it is recommended that a reasonable limitation be placed upon the functions delegable to the Commission. It is suggested that the following limitation, to be incorporated in the legislation as a new section preceding the section 3, would be reasonable:

"Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact."

The committee, in its consideration of this legislation, agrees with the suggestion and recommendation of the Department of Justice, and has amended the bill accordingly.

It has further been suggested by the Department of Justice that, while there is nothing in the act as written which is objectionable from an antitrust standpoint, because of the latitude which was given the Commission to carry out the purpose of the legislation and because of the additional functions that may be later delegated to or imposed upon the Commission, it would recommend that a savings clause be added thereto. Such a savings clause appears in section 6 of the amended bill.

The Department of the Interior in its report states:

This Department's Fish and Wildlife Service has made some studies in the area included within the Wabash Valley as defined in article II of the proposed compact, and further studies are planned in connection with proposed developments. The area supports upland game, white-tailed deer, and fur animals; provides good game fishing; and is heavily used by migrating waterfowl. Any reservoirs in the southern half of the basin will provide wintering areas for ducks and geese. While we believe the stated objectives of the proposed compact include the preservation and development of fish and wildlife resources as a part of planning and programing "the

conservation, development and proper utilization" of the natural resources of the Wabash Valley, we suggest the compact be made more definite in this respect by including in the first sentence of article I and in paragraph B.(4) of article VI specific reference to fish and wildlife among the other purposes mentioned therein.

The committee, in regard to this question, believes that the objectives of the proposed compact do include the provision for the development of fish and wildlife resources as a part of the planning and programing of the natural resources of the Wabash Valley and urges that the member States of this compact recognize specifically the subject of fish and wildlife among the purposes of the compact, even though fish and wildlife are only included in the general term of natural resources in the Wabash Valley.

The committee, after a review of all of the foregoing, believes that the legislation is meritorious and, therefore, recommends that the bill, S. 1257, as amended, be considered favorably.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., July 16, 1959.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning the bill (S. 1257) granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

The bill would authorize the States of Illinois and Indiana to enter into a compact creating a Wabash Valley Interstate Commission which would have broad advisory, consultative, and related functions with a view to promotion of the balanced development of the Wabash Valley, with special reference to the conservation, development, and proper utilization of the water, land, and related natural resources of the valley. Nonvoting Federal representation on the Commission is provided for. While no provision is made for further consideration of the compact by the Congress after its approval by the States, the consent granted in the bill is limited to a compact worded as specified in the bill.

Section E of article VI of the compact provides that the commission created by the compact may undertake such functions, additional to those specified in the compact, as may be delegated to or imposed upon it from time to time by the action of the legislature of a party State concurred in by the legislature of the other. Because provisions contained in this compact and the consent legislation may be urged as precedents for similar provisions in subsequent compacts or legislation it is recommended that a reasonable limitation be placed upon the functions delegable to the commission. It is suggested that the following limitation, to be incorporated in the legislation as a new section preceding the section 3, would be reasonable:

"Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of

the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact."

A similar problem arose with respect to the Tennessee Basin Water Pollution Control Compact and was similarly resolved. See section 4 of the act of August 23, 1958 (72 Stat. 823; S. Rept. 1961, 85th Cong., and H. Rept. 1044, 85th Cong., on H.R. 6701).

While there is nothing in the act as written which is objectionable from an antitrust standpoint, because of the latitude which was given the commission to carry out the purpose of the legislation and because of the additional functions that may be later delegated to or imposed upon the commission, it is recommended that a savings clause be added to read as follows:

"Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct."

It is noted also that the description of the territory included in the Wabash Valley is in very general terms and that there is no method provided for determining the boundaries in case of dispute.

Subject to the foregoing considerations whether this legislation should be enacted involves matters for which the Department of Justice does not have primary responsibility, and accordingly we make no recommendation as to its enactment.

The Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely yours,

LAWRENCE E. WALSH,
Deputy Attorney General.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 17, 1959.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: This responds to your request for the views of this Department on S. 1257, a bill granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes.

We would have no objection to the enactment of this bill, subject to consideration of the suggestions contained herein.

The enactment of S. 1257 would give the consent of the Congress to the States of Illinois and Indiana to enter into the Wabash Valley Compact. The principal objective of the compact appears to be the coordinated development of the water, land, and related resources of the Wabash Valley. This would be accomplished through the Wabash Valley Interstate Commission, which would be established with a membership coming from the two member States, with provision for representation of the Federal Government on the Commission in a nonvoting capacity. The compact would be binding until renounced by legislative action of either member State.

The Commission would be authorized to perform, among other things, the following functions: (1) Promote the balanced development of the Wabash Valley; (2) recommend integrated plans and programs for the conservation, development, and proper utilization of the water, land, and related natural resources of the area; (3) make recommendations to the legislative and executive branches of the member States and the Federal Government.

Section 2 of the bill would authorize the appointment by the President of a Federal representative to the Commission. That representative would be required to report to the President directly or through such official or agency as the President should specify.

This Department's Fish and Wildlife Service has made some studies in the area included within the Wabash Valley as defined in article II of the proposed compact, and further studies are planned in connection with proposed developments. The area supports upland game, white-tailed deer, and fur animals; provides good game fishing; and is heavily used by migrating waterfowl. Any reservoirs in the southern half of the basin will provide wintering areas for ducks and geese. While we believe the stated objectives of the proposed compact include the preservation and development of fish and wildlife resources as a part of planning and programing "the conservation, development and proper utilization" of the natural resources of the Wabash Valley, we suggest the compact be made more definite in this respect by including in the first sentence of article I and in paragraph B (4) of article VI specific reference to fish and wildlife among the other purposes mentioned therein.

Not only would the compact make provision for, and section 2 of the bill authorize, Federal representation on the Commission, but we are pleased to note that under paragraph (b) of article V the Commission could establish and cooperate with advisory and technical committees which would include, among others, representatives of the Federal Government. This Department will be willing to cooperate with the Commission in any endeavor which is of concern to this Department, such as means to conserve and develop fish and wildlife.

We offer one other suggestion for your consideration, namely, that the words "and approval" in the title of the bill be deleted to conform the title of the bill to the text.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

ROSS LEFFLER,
Assistant Secretary of the Interior.

AN ACT Ratifying and approving an Interstate Compact for the development of the Wabash Valley, providing for the administration thereof, and making an appropriation therefor.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. The State of Illinois ratifies and approves the following compact:

THE WABASH VALLEY COMPACT

ARTICLE I—FINDINGS AND PURPOSE

The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that underutilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the Valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the Valley.

ARTICLE II—THE VALLEY

As used in this compact, the term "Wabash Valley" shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

ARTICLE III—THE WABASH VALLEY INTERSTATE COMMISSION

(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

(c) The Commission may sue and be sued, and shall have a seal.

(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state or the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

(j) The Commission may adopt, amend, and rescind bylaws, rules and regulations for the conduct of its business.

(k) The Commission annually shall make to the Governor of each party state, a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission which report shall be transmitted to the legislature of said state. The Commission may issue such additional reports as it may deem desirable.

ARTICLE IV—FINANCES

(a) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Subject to appropriation by the respective legislatures the Commission shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

(c) The Commission may meet any of its obligations in whole or in part with funds available to it under Article III(h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article III(h) hereof, the Commission shall

not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

(c) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

(f) The accounts of the Commission shall be open at any reasonable time for inspection.

ARTICLE V—ADVICE AND COOPERATION

(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: *Provided*, That if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal government, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

ARTICLE VI—FUNCTIONS

The Commission shall have power to:

A. Promote the balanced development of the Wabash Valley by:

(1) Correlating and reporting on data significant to such development.

(2) Recommending the coordination of studies by the agencies of the party states to provide such data.

(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

(4) Recommending standards as guides for local and state zoning and other action which will promote balanced development by encouraging the establishment of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wild life preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities and other appropriate measures.

(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

(1) Encouraging the classification of Valley lands in terms of appropriate uses.

(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

C. Secure the necessary research and developmental activities by:

(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

(2) Making contracts for studies, investigations and research in any of the fields of its interest.

(3) Publishing and disseminating reports.

D. Make recommendations for appropriate action to:

(1) The legislatures and executive heads of the party states and the federal government.

(2) The agencies of the party states and the federal government.

E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

ARTICLE VII—ENACTMENT AND WITHDRAWAL

This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

ARTICLE VIII—CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed.

Section 2. The Governor shall appoint and designate the terms of seven commissioners to represent this State on the Wabash Valley Interstate Commission. Of the Commissioners first appointed, two shall serve for terms expiring April 1, 1961; two for terms expiring April 1, 1963; and three for terms expiring April 1, 1965. At the expiration of the term of each commissioner and of each succeeding commissioner, the Governor shall appoint a successor who shall hold office for a term of six years beginning April 1 of the year in which the preceding term expired. Each commissioner shall hold office until his successor has been appointed and qualified. The Governor shall fill any vacancy by appointment for the unexpired term.

Section 3. The several departments, agencies and officers of this State are authorized to cooperate with the Wabash Valley Interstate Commission. Within existing statutory authorizations, any such department, agency or officer may make contract with, lend, or otherwise furnish the Wabash Valley Interstate Commission with such items and services as are contemplated by any provision of the compact.

Section 4. The sum of \$20,000, or so much thereof as may be necessary, is appropriated to provide for the ordinary and contingent expenses of the Wabash Valley Interstate Commission for the biennium beginning July 1, 1959. This appropriation shall be used only to pay the proportionate share chargeable to the territory in the Wabash Valley which is located in the State of Illinois.

Approved March 20, 1959.

WILLIAM G. STRATTON,
Governor.

JOHN WM. CHAPMAN,
President of the Senate.

PAUL POWELL,
Speaker, House of Representatives.

WABASH VALLEY ASSOCIATION, INC.,
Mount Carmel, Ill., May 18, 1959.

Senator JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
Washington, D.C.

MR. CHAIRMAN AND MEMBERS OF THE JUDICIARY COMMITTEE: The Wabash Valley Compact was passed in the State of Indiana without a dissenting vote during the past general assembly and was signed by Gov. Harold Handley, February 26, 1959.

The Wabash Valley Compact was passed in the State of Illinois during the present general assembly with one dissenting vote and was signed by Gov. William Stratton, March 21, 1959.

The Wabash Valley Association's platform for 1959 states:

"We place top priority on the passing of this compact between the States of Indiana and Illinois to help expedite the development of the Wabash Valley.

"We urge the legislative bodies of Indiana and Illinois to give this compact their full support and approval at an early date in 1959 that we may then have time for Congress to approve this legislation during the present session."

On behalf of the Wabash Valley Association's members, its board of directors and officers, I urgently request the committee to act as soon as possible, giving a favorable recommendation to the consent for the States of Indiana and Illinois to enter into the Wabash Valley Compact agreement.

Floods in the Wabash River Basin have brought death and destruction to this valley for generations. In 1957-58, flood damage to farm crops alone exceeded \$48,500,000. On February 15, 1959, the headlines screamed again, "Three lives lost—2,500 Homeless—Damages Exceeding \$50 million."

The two great States have recognized the necessity for creating this Commission to study, recommend, and coordinate the action of the separate States and the Federal Government to control the floodwaters in the Wabash River Basin. We now turn to our Federal Government and ask their consent to enter into this agreement.

Respectfully,

WILLIAM E. PRATHER,
Executive Vice President.



Calendar No. 769

86TH CONGRESS
1ST SESSION

S. 1257

[Report No. 757]

IN THE SENATE OF THE UNITED STATES

MARCH 5, 1959

Mr. HARTKE (for himself, Mr. CAPEHART, Mr. DOUGLAS, and Mr. DIRKSEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

AUGUST 21, 1959

Reported by Mr. DIRKSEN, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

Granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent of Congress is hereby given to the States
4 of Illinois and Indiana to enter into the Wabash Valley
5 Compact in the form as follows:

6 “THE WABASH VALLEY COMPACT

7 “ARTICLE I

8 “FINDINGS AND PURPOSE

9 “The party states find that the Wabash Valley has suf-
10 fered from a lack of comprehensive planning for the optimal

1 use of its human and natural resources and that under-
2 utilization and inadequate benefits from its potential wealth
3 are likely to continue until there is proper organization to
4 encourage and facilitate coordinated development of the Wa-
5 bash Valley as a region and to relate its agricultural, indus-
6 trial, commercial, recreational, transportation, development
7 and other problems to the opportunities in the Valley. To
8 this end it is the purpose of the party states to recognize
9 and provide for such development and coordination and to
10 establish an agency of the party states with powers suffi-
11 cient and appropriate to further regional planning for the
12 Valley.

13 "ARTICLE II

14 "THE VALLEY

15 "As used in this compact, the term 'Wabash Valley'
16 shall mean the Wabash River, its tributaries and all land
17 drained by said river and tributaries, to whatever extent they
18 lie within the party states.

19 "ARTICLE III

20 "THE WABASH VALLEY INTERSTATE COMMISSION

21 "(a) There is hereby created an agency of the party
22 states to be known as the Wabash Valley Interstate Com-
23 mission (hereinafter called the Commission). The Commis-
24 sion shall be composed of seven Commissioners from each
25 party state designated or appointed in accordance with the

1 law of the state which they represent and serving and sub-
2 ject to removal in accordance with such law. The federal
3 government may be represented without vote if provision
4 is made by federal law for such representation.

5 “(b) The Commissioners of the party states shall each
6 be entitled to one vote in the Commission. No action of the
7 Commission shall be binding unless taken at a meeting in
8 which a majority of the members from each party state are
9 present and unless a majority of those from each state concur,
10 provided that any action not binding for such a reason may
11 be ratified within thirty days by the concurrence of a ma-
12 jority of each state. In the absence of any Commissioner,
13 his vote may be cast by another representative or Commis-
14 sioner of his state provided that said Commissioner or other
15 representative casting said vote shall have a written proxy
16 in proper form as may be required by the Commission.

17 “(c) The Commission may sue and be sued, and shall
18 have a seal.

19 “(d) The Commission shall elect annually, from among
20 its members, a chairman, a vice-chairman and a treasurer.
21 The Commission shall appoint an executive director who
22 shall also act as secretary, and who, together with the treas-
23 urer, shall be bonded in such amounts as the Commission
24 may require.

25 “(e) The Commission shall appoint and remove or dis-

1 charge such personnel as may be necessary for the perform-
2 ance of the Commission's functions irrespective of the civil
3 service, personnel or other merit system laws of any of the
4 party states.

5 “(f) The Commission may establish and maintain, inde-
6 pendently or in conjunction with any one or more of the
7 party states, a suitable retirement system for its employees.
8 Employees of the Commission shall be eligible for social
9 security coverage in respect of old-age and survivors insur-
10 ance provided that the Commission takes such steps as may
11 be necessary pursuant to federal law to participate in such
12 program of insurance as a governmental agency or unit.
13 The Commission may establish and maintain or participate
14 in such additional programs of employee benefits as may be
15 appropriate to afford employees of the Commission terms and
16 conditions of employment similar to those enjoyed by em-
17 ployees of the party states generally.

18 “(g) The Commission may borrow, accept, or contract
19 for the services of personnel from any state or the United
20 States or any subdivision or agency thereof, from any inter-
21 state agency, or from any institution, person, firm or cor-
22 poration.

23 “(h) The Commission may accept for any of its pur-
24 poses and functions under this compact any and all donations,
25 and grants of money, equipment, supplies, materials, and

1 services, conditional or otherwise, from any state of the
2 United States or any subdivision or agency thereof, or inter-
3 state agency, or from any institution, person, firm or cor-
4 poration, and may receive, utilize, and dispose of the same.

5 “(i) The Commission may establish and maintain such
6 facilities as may be necessary for the transacting of its busi-
7 ness. The Commission may acquire, hold, and convey real
8 and personal property and any interest therein.

9 “(j) The Commission may adopt, amend, and rescind
10 bylaws, rules, and regulations for the conduct of its business.

11 “(k) The Commission annually shall make to the Gov-
12 ernor of each party state, a report covering the activities
13 of the Commission for the preceding year, and embody-
14 ing such recommendations as may have been adopted by
15 the Commission which report shall be transmitted to the
16 legislature of said state. The Commission may issue such
17 additional reports as it may deem desirable.

18 “ARTICLE IV

19 “FINANCES

20 “(a) The Commission shall submit to the executive head
21 or designated officer or officers of each party state a budget
22 of its estimated expenditures for such period as may be re-
23 quired by the laws of that jurisdiction for presentation to the
24 legislature thereof.

25 “(b) Each of the Commission’s budgets of estimated

1 expenditures shall contain specific recommendations of the
2 amount or amounts to be appropriated by each of the party
3 states. Subject to appropriation by the respective legisla-
4 tures the Commission shall be provided with such funds by
5 each of the party states as are necessary to provide the
6 means of establishing and maintaining facilities, a staff of per-
7 sonnel, and such activities as may be necessary to fulfill the
8 powers and duties imposed upon and entrusted to the Com-
9 mission.

10 “(c) The Commission may meet any of its obligations
11 in whole or in part with funds available to it under Article
12 III (h) of this compact, provided that the Commission takes
13 specific action setting aside such funds prior to the incurring
14 of any obligation to be met in whole or in part in this man-
15 ner. Except where the Commission makes use of funds
16 available to it under Article III (h) hereof, the Commission
17 shall not incur any obligations prior to the allotment of funds
18 by the party jurisdictions adequate to meet the same.

19 “(d) The expenses and any other costs for each member
20 of the Commission shall be met by the Commission in ac-
21 cordance with such standards and procedures as it may estab-
22 lish under its bylaws.

23 “(e) The Commission shall keep accurate accounts of
24 all receipts and disbursements. The receipts and disburse-
25 ments of the Commission shall be subject to the audit and

1 accounting procedures established under its bylaws. How-
2 ever, all receipts and disbursements of funds handled by the
3 Commission shall be audited yearly by a qualified public
4 accountant and the report of the audit shall be included in
5 and become a part of the annual report of the Commission.

6 “(f) The accounts of the Commission shall be open at
7 any reasonable time for inspection.

8 “ARTICLE V

9 “ADVICE AND COOPERATION

10 “(a) The Commission shall establish a technical advi-
11 sory committee which shall be composed of representatives
12 of such departments or agencies of the governments of the
13 party states as have significant interest in the subject matter
14 of the Commission's work: Provided that if pursuant to the
15 laws of a party state a representative of any such depart-
16 ment or agency serves as a member of the Commission said
17 department or agency need not be represented on the tech-
18 nical advisory committee. The Commission shall provide
19 under its bylaws for procedures for the reference of questions
20 to such committee.

21 “(b) The Commission may establish other advisory and
22 technical committees composed of private citizens, expert
23 and lay personnel, representatives of industry, labor, com-
24 merce, agriculture, civic associations, and officials of local,
25 state and federal government, and may cooperate with and

1 use the services of any such committee and the organizations
2 which they represent in furthering any of its activities under
3 this compact. The Commission shall encourage citizen
4 organization and activity for the promotion of the objectives
5 of this compact.

6 "ARTICLE VI

7 "FUNCTIONS

8 "The Commission shall have power to:

9 "A. Promote the balanced development of the
10 Wabash Valley by

11 "(1) Correlating and reporting on data signifi-
12 cant to such development.

13 "(2) Recommending the coordination of studies
14 by the agencies of the party states to provide such
15 data.

16 "(3) Publishing and disseminating materials
17 and studies which will encourage the economic de-
18 velopment of the Valley.

19 "(4) Recommending standards as guides for
20 local and state zoning and other action which will
21 promote balanced development by encouraging the
22 establishment of industrial parks to facilitate in-
23 dustrial development, the reservation of stream bank
24 and lake shore areas for recreation and public access

1 to water, the preservation of marshes and other
2 suitable areas as wild life preserves, the afforesta-
3 tion and sustained yield forest management of sub-
4 marginal lands, the protection of scenic values and
5 amenities and other appropriate measures.

6 “(5) Preparing in cooperation with appro-
7 priate governmental agencies a master plan for the
8 identification and programming of public works.

9 “(6) Cooperating with all appropriate govern-
10 mental agencies in the encouragement of tourist
11 traffic and facilities in the Valley.

12 “B. Recommend integrated plans and programs for
13 the conservation, development and proper utilization
14 of the water, land and related natural resources of the
15 Wabash Valley, including but not limited to:

16 “(1) Encouraging the classification of Valley
17 lands in terms of appropriate uses.

18 “(2) Cooperating in the development of ap-
19 propriate plans for flood protection, including but
20 not limited to the construction of protective works
21 and reservoirs.

22 “(3) Developing public awareness of the need
23 for flood plain zoning and in cooperation with the
24 appropriate agencies of the party states and their

1 political subdivisions evolving standards for the im-
2 plementation and application of such zoning in the
3 Valley.

4 “(4) Reviewing the need for and appropriate
5 sources of suitable water supplies for domestic, mu-
6 nicipal, agricultural, power, industrial, recreation
7 and transportation purposes.

8 “(5) Encouraging a pattern of land use and
9 resource management which will increase the natu-
10 ral wealth of the Valley and promote the welfare
11 of its inhabitants.

12 “(6) In cooperation with appropriate agencies,
13 analyzing the recreational needs and potential of the
14 Valley and developing a program for the use and
15 maximization of recreational resources.

16 “C. Secure the necessary research and developmen-
17 tal activities by:

18 “(1) Correlating such research and develop-
19 mental activities as are placed within its purview by
20 this compact. The Commission may engage in
21 original investigation and research on its own ac-
22 count or secure the undertaking thereof by a quali-
23 fied public or private agency.

24 “(2) Making contracts for studies, investiga-

tions and research in any of the fields of its interest.

“(3) Publishing and disseminating reports.

“D. Make recommendations for appropriate action to:

“(1) The legislatures and executive heads of the party states and the federal government

“(2) The agencies of the party states and the federal government.

“E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

“ARTICLE VII

“ENACTMENT AND WITHDRAWAL

“This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

“ARTICLE VIII

“CONSTRUCTION AND SEVERABILITY

“The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact

1 is declared to be unconstitutional or the applicability thereof
2 to any state, agency, person or circumstance is held invalid,
3 the constitutionality of the remainder of this compact and the
4 applicability thereof to any other state, agency, person or
5 circumstance shall not be affected thereby. It is the legis-
6 lative intent that the provisions of this compact be reasonably
7 and liberally construed.”

8 SEC. 2. A Federal representative to the Wabash Valley
9 Interstate Commission shall be appointed by the President,
10 and he shall report to the President either directly or through
11 such agency or official as the President may specify. Such
12 representative shall have no vote on the commission. His
13 compensation shall be in such amount, not in excess of \$100
14 per diem, as the President shall specify, but the total amount
15 of compensation payable in any one calendar year shall not
16 exceed \$10,000: *Provided*, That if the Federal representa-
17 tive be an employee of the United States he shall serve with-
18 out additional compensation: *Provided further*, That a re-
19 tired military officer or a retired Federal civilian officer or em-
20 ployee may be appointed as such representative, without prej-
21 udice to his retired status, and he shall receive compensation
22 as authorized herein in addition to his retired pay or annuity
23 but the sum of his retired pay or annuity and such additional
24 compensation as may be paid hereunder shall not exceed
25 \$12,000 in any one calendar year. The Federal representa-

1 tive shall be entitled to travel expenses, he shall also be pro-
2 vided with office space, stenographic service, and other nec-
3 essary administrative services. The compensation of the
4 Federal representative shall be paid from available appro-
5 priations for the White House Office or from funds available
6 to the President in connection with special projects. Travel
7 expenses, office space, stenographic, and administrative serv-
8 ices shall be paid from any available appropriations selected
9 by the head of such agency or agencies as may be designated
10 by the President to provide such expenses.

11 *SEC. 3. Any additional function delegated to or imposed*
12 *upon the Wabash Valley Interstate Commission pursuant to*
13 *section E of article VI of the compact shall be one within the*
14 *general authority granted by the compact and may be utilized*
15 *only in furtherance of the purposes of the compact.*

16 *SEC. 3 4. The Wabash Valley Interstate Commission*
17 *constituted by the compact shall make an annual report to*
18 *Congress not later than sixty days after the beginning of*
19 *each regular session thereof.*

20 *SEC. 4 5. The right to alter, amend, or repeal this Act*
21 *is expressly reserved.*

22 *SEC. 6. Nothing herein contained shall be interpreted or*
23 *construed as approving any act, action, or conduct which is*
24 *or has been or may be in violation of existing law, nor shall*
25 *anything herein contained constitute a defense to any action,*

1 *suit, or proceeding pending or hereafter instituted on account*
2 *of any prohibited antitrust or monopolistic act, action, or*
3 *conduct.*

Amend the title so as to read: "A bill granting the consent of Congress to the Wabash Valley Compact, and for related purposes."

86TH CONGRESS
1ST SESSION

S. 1257

[Report No. 757]

A BILL

Granting the consent and approval of Congress
to the Wabash Valley Compact, and for re-
lated purposes.

By Mr. HARTKE, Mr. CAPEHART, Mr. DOUGLAS,
and Mr. DIRKSEN

MARCH 5, 1959

Read twice and referred to the Committee on the
Judiciary

AUGUST 21, 1959

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

CONTENTS

Issued Aug. 25, 1959
For actions of Aug. 24, 1959
86th-1st, No. 145

Accounting.....	13		
Agricultural attaches.....	25		
Allotments.....	13		
Appropriations.....	14		
A.C. committees.....	38		
Banking.....	3		
Claims.....	8		
Color additives.....	7		
Conservation.....	10,36		
Conservation reserve.....	24		
Credit unions.....	29		
Electrification.....	30,42	Intergovernmental	Small business.....17
Exhibits.....	26	relations.....9	Soil bank.....1,2,24,40
Farm program.....	2,33	Lands.....12,19,20,34,37	Surplus commodities.....31
Fisheries.....	23,41	Minerals.....5,19	Tariffs.....26
Flag.....	35	Personnel.....11,27,43	Taxation.....39
Foreign trade.....	16	Price supports.....2	Vehicles.....18
Forestry.....	20,34	Property.....20	Water.....6
Freight forwarders.....	9	Public Law 480.....2,31	Watersheds.....15
Health.....	27	Reclamation.....21	Wheat.....22
Insecticides.....	23	Research.....4,23,41	Wilderness.....32
Interest rates.....	28	Science.....4	Wildlife.....12

HIGHLIGHTS: Senate passed bill to provide compensation under Soil Bank to producers for actions based on incorrect information; House committee reported similar bill. Sen. Church urged expansion of Public Law 480 program. Rep. McIntire introduced bill to establish revolving fund for REA loans.

SENATE

1. SOIL BANK. Passed without amendment S. 2457, to authorize the Secretary to compensate producers under the Soil Bank for actions based on erroneous information furnished by authorized representatives of the Secretary. p. 15385
2. FARM PROGRAM. Sen. Church criticized the administration's farm program, stated that "flexible price supports, expansion of markets, streamlined administration, freedom to plant, soil bank, and all" has been a "monumental failure", and urged expansion of Public Law 480 programs as a means of disposing of surplus commodities. pp. 15411-4

3. BANKING. Passed without amendment H. R. 8159, to amend the national banking laws to clarify or eliminate ambiguities, repeal obsolete provisions (including provisions for national agricultural credit corporations), etc. This bill will now be sent to the President. pp. 15398-9

Passed as reported H. R. 8160, to liberalize in several respects the limitations on borrowing and lending by national banks (see Digest 124 for a summary of the bill as passed by the House). Sen. Robertson explained that the only amendment of the Senate to the bill "would amend an existing provision which makes the limit on loans to one borrower 25 percent of capital and surplus instead of 10 percent, if the loan is in the form of notes secured by U. S. obligations. The amendment would delete the words 'in the form of notes,' so that obligations secured in this way would have the benefit of the 25 percent figure, instead of the usual 10 percent." pp. 15399-400

4. SCIENCE; RESEARCH. Passed without amendment H. R. 8284, to amend the National Science Foundation Act of 1950 so as to provide increased efficiency of operation and to clarify the Foundations's authority regarding grants, contracts, or fellowships, improved scientific training, etc. (pp. 15384-5) This bill will now be sent to the President. A similar bill, S. 2468, was indefinitely postponed.

5. MINERALS. Passed as reported S. 2181, to amend the Mineral Leasing Act of 1920, so as to modify oil, gas, coal, and certain other mineral leasing requirements and conditions. pp. 15386-8

6. WATER RESOURCES. Passed as reported S. 1257, to grant the consent and approval of Congress to the Wabash Valley Compact. pp. 15388-90

7. COLOR ADDITIVES. Agreed to the committee amendments to S. 2197, to amend the Federal Food, Drug, and Cosmetic Act so as to authorize the use of color additives in or on foods, drugs, and cosmetics in accordance with regulations prescribing conditions under which such additives may be safely used (pp. 15394-7). The "Daily Digest" states that the bill was passed as reported (p. D814).

8. CLAIMS. Passed as reported H. R. 6000, to amend title 28 of the U. S. Code so as to increase the limit for administrative settlement of claims against the U. S. under the tort claims procedure from \$1000 to \$2500 (as passed by the House the limit would have been increased to \$2000) p. 15397

9. INTERGOVERNMENTAL RELATIONS; FREIGHT FORWARDERS. Passed over, at the request of Sen. Keating, H. R. 6904, to establish an Advisory Commission on Intergovernmental Relations (p. 15384) and H. R. 5067, to repeal Sec. 217 of the Merchant Marine Act of 1936, which section has been interpreted by some to mean that Government agencies are still required to use the services of freight forwarders for overseas shipments (p. 15386).

10. CONSERVATION. Sen. Neuberger commended Sen. Murray for his "outstanding leadership" in the field of conservation of natural resources. p. 15407

11. PERSONNEL. Sen. Gruening urged enactment of legislation to provide a health insurance program for retired Federal employees. p. 15376

gence during such period of nonproduction. No lease issued under this Act shall expire because operations or production is suspended under any order, or with the consent, of the Secretary of the Interior. No lease issued under this Act covering lands on which there is a well capable of producing oil or gas in paying quantities shall expire because the lessee fails to produce the same, unless the lessee is allowed a reasonable time, but not less than sixty days after notice by registered mail, within which to place such well on a producing status: *Provided*, That after such status is established production shall continue on the leased premises unless and until suspension of production is allowed by the Secretary of the Interior under the provisions of this Act.

"All leases issued under this section shall be conditioned upon the payment by the lessee in advance of a rental of not less than 25 cents per acre per annum. A minimum royalty of \$1 per acre in lieu of rental shall be payable at the expiration of each lease year beginning or after a discovery of oil or gas in paying quantities on the lands leased: *Provided*, That in the case of lands not within any known geological structure of a producing oil or gas field, the rentals for the second and third lease years shall be waived unless a valuable deposit of oil or gas be sooner discovered.

"Whenever it appears to the Secretary of the Interior that lands owned by the United States are being drained of oil or gas by wells drilled on adjacent lands, he is hereby authorized and empowered to negotiate agreements whereby the United States, or the United States and its lessee, shall be compensated for such drainage, such agreements to be made with the consent of the lessees affected thereby, and the primary term including any extensions thereof of any lease for which compensatory royalty is being paid shall be extended for the period during which such compensatory royalty is paid and for a period of one year from discontinuance of such payment and so long thereafter as oil or gas is produced in paying quantities: *Provided*, That the Secretary of the Interior shall report to Congress at the beginning of each regular session, all such agreements entered into during the previous year which involve unlease Government lands."

Sec. 3. Section 17(a) of such Act of February 25, 1920 (30 U.S.C. 226(d)), is amended by striking out "primary term of five years" in the first sentence and inserting in lieu thereof "primary term of ten years".

Sec. 4. Section 27 of such Act of February 25, 1920, as amended (30 U.S.C. 184) is amended to read as follows:

"Sec. 27. No person, association, or corporation, except as herein provided, shall take or hold coal leases or permits during the life of such lease in any one State exceeding an aggregate of ten thousand two hundred and forty acres: *Provided*, That a person, association or corporation may apply for coal leases or permits for acreage in addition to said ten thousand two hundred and forty acres, which application or applications shall be in multiples of forty acres, not exceeding a total of five thousand one hundred twenty additional acres in such State, and shall contain a statement that the granting of a lease for such additional lands is necessary to the person, association, or corporation to carry on business economically and is in the public interest. On the filing of said application, the coal deposits in such lands covered thereby shall be temporarily set aside and withdrawn from all forms of disposal under this Act. The Secretary of the Interior shall, after posting notice of the pending application in the local land office, conduct public hearings on said application or applications for additional acreage. After such public hearings, to such extent as he finds to be in the public in-

terest and necessary for the applicant in order to carry on business economically, the Secretary of the Interior may, under such regulations as he may prescribe, permit such person, association, or corporation to take or hold coal leases or permits for an additional aggregate acreage of not more than five thousand one hundred and twenty acres in such State. The Secretary may, in his own discretion or whenever sufficient public interest is manifested, re-evaluate the lessee's or permittee's need for all or any part of the additional acreage. The Secretary may cancel the lease or leases and permit or permits covering all or any part of the additional acreage, if he finds that such cancellation is in the public interest or that the coal deposits in the additional acreage are no longer necessary for the lessee or permittee to carry on business economically or if the lessee or permittee has divested himself of all or any part of the original ten thousand two hundred and forty acres or no longer has facilities which in the Secretary's opinion enable him to exploit the deposits under lease or permit. No assignment, transfer, or sale of any part of the additional acreage may be made without the approval of the Secretary. No person, association, or corporation, except as herein provided, shall take or hold sodium leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage five thousand one hundred and twenty acres: *Provided*, That the Secretary of the Interior may, in his discretion where it is necessary in order to secure the economic mining of sodium compounds leasable under this Act, permit a person, association, or corporation to take or hold sodium leases or permits for up to fifteen thousand three hundred and sixty acres in any one State. No person, association, or corporation, except as herein provided, shall take, hold, own, or control at one time, whether acquired directly from the Secretary of the Interior under this Act or otherwise, oil and gas leases (including options for such leases) on land held under the provisions of this Act exceeding in the aggregate two hundred and forty-six thousand and eighty acres in any one State, except the States of Alaska and Hawaii. No person, association, or corporation shall take or hold at one time phosphate leases exceeding in the aggregate ten thousand two hundred and forty acres in the United States. No person, association, or corporation shall take or hold at one time any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease or leases, permit or permits, under the provisions hereof, which, together with the area embraced in any direct holding of a lease or leases, permit or permits, under this Act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease or leases, permit or permits, under the provisions hereof for any kind of minerals hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee or permittee under this Act. For the purpose of this Act, no contract for development and operation of any lands leased hereunder, whether or not coupled with an interest in such lease, nor any lease or leases owned in common by two or more persons, shall be deemed to create a separate association under this section between or among such contracting parties, or the persons owning such lease or leases in common, but the proportionate interest of each such person shall be charged against the total acreage permitted to be held by such person under this Act: *Provided*, That the total acreage so held in common by two or more persons shall not

exceed, in the aggregate, an amount equivalent to the maximum number of acres of the respective kind of minerals allowed to any one lessee or permittee under this Act. No option for an oil or gas lease on any lands held under the provisions of this Act shall be entered into for a period of more than three years, without the prior approval of the Secretary of the Interior, and no person, association, or corporation shall hold any such options at one time on more than two hundred thousand acres of land in any one State, except Alaska and Hawaii. No such option shall be valid unless notice thereof, including the number of acres under option, the names of all parties thereto and their respective interests, and obligations undertaken thereunder by the optionee, is filed in the land office of the Bureau of Land Management for the area in which the land under option is located and every option shall until exercised be charged to both optioner and optionee. In addition each holder of any such option shall file with the Secretary within ninety days after the 30th day of June and the 31st day of December in each year a statement under oath showing as of said dates (1) name of optioner and serial number of lease or application for lease, (2) date and expiration date of each option, (3) number of acres covered by each option, and (4) aggregate number of options held in each State and total acreage subject to said options in each State. If any interest in any land is owned or controlled, directly or indirectly, by means of stock or otherwise, in violation of any of the provisions of this Act, the interest may be canceled or forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest, by the Secretary of the Interior in an administrative proceeding, except that any ownership or interest forbidden in this Act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition. In the event that the Secretary has reason to believe that fraud has been committed in the holding of any such interest by any person, he may request the Attorney General to institute appropriate proceedings against such person. Any such proceeding shall be instituted in the United States district court for the district in which the land or some part thereof is located or in which such person may be found, and the court in such proceeding, in addition to any other penalties provided by law, may if fraud is found provide that such person shall be ineligible thereafter, either permanently or for a lesser period, to hold any lease or other interest in land under the provisions of this Act."

And, in lieu thereof, to insert "That section 27 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 448), as amended (30 U.S.C., sec. 184), is further amended by the insertion, immediately after the sixteenth sentence, of the following:"; on page 10, line 17, after the word "adversely", to insert "the title or interest of a bona fide purchaser in"; in line 19, after the word "in", where it appears the second time, to strike out "good faith by any qualified person, association, or corporation in"; in line 21, after the word "person", to insert "association or corporation"; in line 23, after the word "or", to strike out "forfeiture" and insert "forfeited"; on page 11, line 1, after the word "of", to strike out "the Mineral Leasing Act Amendments of 1959 and insert 'this Act'"; in line 2, after the word "person", to insert "association or corporation"; in line 6, after the word "that", to strike out "he" and insert "the person, association or corporation"; in

line 7, after the word "a", to strike out "party in good faith" and insert "bona fide purchaser", and in line 9, after the word "Act", to strike out "If during any such proceedings with respect to a violation of any provisions of this Act, or any proceedings with respect to fraud under such provisions, development rights with respect to the interest involved are suspended pending a decision in such proceedings, any person who in such proceedings is found not in violation of such provisions or not guilty of such fraud, or any person, who acquired any part of such interest involved in good faith without violating any provisions of this Act, shall have the right to have his interest extended for a period of time equal to any period during which development rights were so suspended with respect to such interest. Nothing herein contained shall be construed to limit sections 18, 19, and 22 of this Act or to prevent any number of lessees under this Act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipeline or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this Act, or the transportation of coal or to increase the acreage which may be acquired or held under section 17 of this Act: *Provided*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same. Except as in this Act provided, if any of the lands or deposits leased under the provisions of this Act shall be subleased, trusted, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form a part of or are in anywise controlled by any combination in the form of an unlawful trust, with the consent of the lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise, to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control in excess of the amounts of lands provided in this Act, the lease thereof shall be forfeited by appropriate court proceedings" and, in lieu thereof, to insert "If during any such proceedings with respect to a violation of any provisions of this Act, or any proceedings with respect to fraud under such provisions, a party to those proceedings files with the Secretary of the Interior a waiver of his rights under the lease to drill or to assign his interests thereunder or if such rights are suspended by order of the Secretary pending a decision in such proceedings, he shall, if he is found in such proceedings not in violation of such provisions or not guilty of such fraud, have the

right to have his interest extended for a period of time equal to the period between the filing of the waiver or the order of suspension by the Secretary and the final decision, without the payment of rental." "; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 27 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 437, 448), as amended (30 U.S.C., sec. 184), is further amended by the insertion, immediately after the sixteenth sentence, of the following: "The right of cancellation or forfeiture for violation of the provisions of this Act shall not apply so as to affect adversely the title or interest of a bona fide purchaser in any lease, option for a lease, or interest in a lease acquired in conformity with the acreage limitations of this Act from any other person, association or corporation whose holdings, or the holdings of a predecessor in title, may have been canceled or forfeited, or may be subject to cancellation or forfeiture for any such violation. Effective on the date of enactment of this Act, any person, association or corporation who is a party to any proceedings with respect to a violation of any provision of this Act, whether initiated prior to such date of enactment or thereafter, shall have the right to be dismissed as such a party upon showing that the person, association or corporation acquired the interest involving him as such a bona fide purchaser without violating any provisions of this Act. If during any such proceedings with respect to a violation of any provisions of this Act, or any proceedings with respect to fraud under such provisions, a party to those proceedings files with the Secretary of the Interior a waiver of his rights under the lease to drill or to assign his interests thereunder or if such rights are suspended by order of the Secretary pending a decision in such proceedings, he shall, if he is found in such proceedings not in violation of such provisions or not guilty of such fraud, have the right to have his interest extended for a period of time equal to the period between the filing of the waiver or the order of suspension by the Secretary and the final decision, without the payment of rental."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BASILE IGNATIOS MAVRIDIS

The bill (H.R. 1579) for the relief of Basile Ignatios Mavridis was considered, ordered to a third reading, read the third time, and passed.

CONTINENTAL HOSIERY MILLS, INC.

The bill (S. 1015) for the relief of Continental Hosiery Mills, Inc., of Henderson, N.C., successor to Continental Hosiery Co., of Henderson, N.C., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$21,670.11 to Continental Hosiery Mills, Incorporated, of Henderson, North Carolina, successor to Continental Hosiery Company, of Henderson, North Carolina, in full settlement of all claims against

the United States, representing a refund of income tax erroneously collected from said corporation on April 19, 1947, by the Bureau of Internal Revenue: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this contract shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. KEATING subsequently said: Mr. President, because we have been moving through the calendar pretty fast, I did not register my objection to Calendar No. 768, S. 1015. It was passed due to my inadvertence. I ask unanimous consent that it be restored to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

WABASH VALLEY COMPACT

The Senate proceeded to consider the bill (S. 1257) granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 13, after line 10, to insert a new section, as follows:

SEC. 3. Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact.

At the beginning of line 16, to change the section number from "3" to "4"; at the beginning of line 20, to change the section number from "4" to "5", and, after line 21, to insert a new section, as follows:

SEC. 6. Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Illinois and Indiana to enter into the Wabash Valley Compact in the form as follows:

"THE WABASH VALLEY COMPACT

"Article I

"Findings and Purpose

"The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that underutilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the Valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the

party states with powers sufficient and appropriate to further regional planning for the Valley.

"Article II

"The Valley

"As used in this compact, the term 'Wabash Valley' shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

"Article III

"The Wabash Valley Interstate Commission

"(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

"(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"(c) The Commission may sue and be sued, and shall have a seal.

"(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

"(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

"(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

"(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

"(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state of the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm

or corporation, and may receive, utilize, and dispose of the same.

"(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

"(j) The Commission may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

"(k) The Commission annually shall make to the Governor of each party State a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission, which report shall be transmitted to the legislature of said State. The Commission may issue such additional reports as it may deem desirable.

"Article IV

"Finances

"(a) The Commission shall submit to the executive head or designated officer or officers of each party State a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

"(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party States. Subject to appropriations by the respective legislatures, the Commission shall be provided with such funds by each of the party States as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

"(c) The Commission may meet any of its obligations in whole or in part with funds available to it under article III(h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under article III(h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

"(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

"(e) The Commission shall keep accurate accounts of all receipts and disbursements. The recipients and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"(f) The accounts of the Commission shall be open at any reasonable time for inspection.

"Article V

"Advice and Cooperation

"(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party States as have significant interest in the subject matter of the Commission's work: *Provided*, That if pursuant to the laws of a party State a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

"(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, State and Federal Governments, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

"Article VI

"Functions

"The Commission shall have power to:

"A. Promote the balanced development of the Wabash Valley by

"(1) Correlating and reporting on data significant to such development.

"(2) Recommending the coordination of studies by the agencies of the party States to provide such data.

"(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

"(4) Recommending standards as guides for local and State zoning and other action which will promote balanced development by encouraging the establishment of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wildlife preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities, and other appropriate measures.

"(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

"(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

"B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

"(1) Encouraging the classification of Valley lands in terms of appropriate uses.

"(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

"(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

"(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

"(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

"(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

"C. Secure the necessary research and developmental activities by:

"(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

"(2) Making contracts for studies, investigations and research in any of the fields of its interest.

"(3) Publishing and disseminating reports.

"D. Make recommendations for appropriate action to:

"(1) The legislatures and executive heads of the party states and the federal government.

"(2) The agencies of the party states and the federal government.

"E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

"Article VII

"Enactment and Withdrawal

"This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

"Article VIII

"Construction and Severability

"The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed."

SEC. 2. A Federal representative to the Wabash Valley Interstate Commission shall be appointed by the President, and he shall report to the President either directly or through such agency or official as the President may specify. Such representative shall have no vote on the commission. His compensation shall be in such amount, not in excess of \$100 per diem, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed \$10,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer or a retired Federal civilian officer or employee may be appointed as such representative, without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity but the sum of his retired pay or annuity and such additional compensation as may be paid hereunder shall not exceed \$12,000 in any one calendar year. The Federal representative shall be entitled to travel expenses, he shall also be provided with office space, stenographic service, and other necessary administrative services. The compensation of the Federal representative shall be paid from available appropriations for the White House Office or from funds available to the President in connection with special projects. Travel expenses, office space, stenographic, and administrative services shall be paid from any available appropriations selected by the head of such agency or agencies as may be designated by the President to provide such expenses.

SEC. 3. Any additional function delegated to or imposed upon the Wabash Valley Interstate Commission pursuant to section E of article VI of the compact shall be one within the general authority granted by the compact and may be utilized only in furtherance of the purposes of the compact.

SEC. 4. The Wabash Valley Interstate Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof.

SEC. 5. The right to alter, amend, or repeal this Act is expressly reserved.

SEC. 6. Nothing herein contained shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill granting the consent of Congress to the Wabash Valley compact, and for related purposes."

Mr. HARTKE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HARTKE

I am indeed gratified that such swift action has been taken by the Senate in considering S. 1257, which I introduced on March 5, 1959, with my senior colleague from Indiana and the two distinguished Senators from Illinois as cosponsors.

The Legislatures of Indiana and Illinois earlier this year passed the Wabash Valley Compact with only one dissenting vote. We now rely on the Congress to give its consent.

The Wabash River Valley is one of the finest and richest in the country. With the consent of Congress the States of Indiana and Illinois will join in a coordinated development of this valley. This is important to the Nation as well as to these States.

The interstate commission authorized by this compact will coordinate these efforts. We are hopeful and confident that proper planning will lead to a greater development of the agricultural, industrial, commercial and recreational potential of this valley.

BILL PASSED OVER

The bill (H.R. 2717) for the relief of Eber Bros. Wine & Liquor Corp. was announced as next in order.

Mr. BARTLETT. Over, Mr. President. The PRESIDING OFFICER. The bill will be passed over.

FEES OF U.S. MARSHALS

The bill (S. 2349) to amend title 28, United States Code, with respect to fees of U.S. marshals, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1921 of title 28, United States Code, is amended to read as follows:

"§ 1921. United States marshals' fees

"Only the following fees of United States marshals shall be collected and taxed as costs, except as otherwise provided:

"For serving a writ of possession, partition, execution, attachment in rem, or libel in admiralty, warrant, attachment, summons, capias, or any other writ, order, or process in any case or proceeding, except as otherwise provided, \$3;

"For serving a subpoena or summons for a witness or appraiser, \$2;

"Where service is requested to be made on a Saturday, Sunday, or holiday, the fees prescribed in the preceding two paragraphs shall be increased by 100 per centum;

"For forwarding any writ, order, or process to another judicial district for service, in addition to the prescribed fee, \$1;

"For the preparation of any notice of sale, proclamation in admiralty, or other public notice or bill of sale, \$3;

"For seizing or levying on property (including seizures in admiralty), disposing of the same by sale, setoff, or otherwise, and receiving and paying over money, commissions of 3 per centum on the first \$1,000 of the amounts collected and 1½ per centum of sums in excess of \$1,000. If not disposed of by marshal's sale, the commission shall be in such amount as may be allowed by the court. In all cases in which the vessel or other property is sold by a public auctioneer, or by some party other than the marshal or his deputy, the commission herein authorized to be paid to the marshal shall be reduced by the amount paid to said auctioneer or other party;

"For the keeping of property attached (including boats, vessels, or other property attached or libeled) actual expenses incurred, such as storage, moving, boat hire, or other special transportation, watchmen's or keepers' fees, insurance, and \$3 per hour for each deputy marshal required for special services, such as guarding, inventorying, moving, and so forth. The marshals shall collect, in advance, a deposit to cover the initial expenses for such services and periodically thereafter such amounts as may be necessary to pay such expenses until the litigation is concluded;

"For copies of writs or other papers furnished at the request of any party, 30 cents per folio of one hundred words or fraction thereof;

"For necessary travel in serving or endeavoring to serve any process, writ, or order, 12 cents per mile, or fraction thereof, to be computed from the place where service is returnable to the place of service or endeavor; or, where two or more services or endeavors, or where an endeavor and a service, are made in behalf of the same party in the same case on the same trip, mileage shall be computed to the place of service or endeavor which is most remote from the place where service is returnable, adding thereto any additional mileage traveled in serving or endeavoring to serve in behalf of that party. When two or more writs of any kind, required to be served in behalf of the same party, on the same person, in the same case or proceeding, may be served at the same time, mileage on only one such writ shall be collected;

"No mileage fees shall be collected for services or endeavors to serve in the District of Columbia;

"The marshal may require a deposit to cover all fees and expenses herein prescribed."

SEC. 2. Section 1920 of title 28, United States Code, is amended by adding thereto, immediately following the paragraph designated "(5)", a new paragraph designated "(6)", as follows:

"(6) Fees for all marshals' services in a criminal case except for the summoning of witnesses, in a sum to be fixed by the court, not exceeding \$25 where conviction is for a misdemeanor and not exceeding \$100 where conviction is for a felony."

SEC. 3. Section 1112 of the Act of March 3, 1901, entitled "An Act to establish a code of law for the District of Columbia" (31 Stat. 1189, 1365; sec. 11-1510, D.C. Code, 1951 edition), as amended, is repealed.

SEC. 4. This Act shall become effective ninety days after enactment.

8/31/59

26. PROPERTY. Passed as reported H. R. 6669, to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the U. S. for general educational purposes. pp. 15991-2.
27. WATER RESOURCES. Passed without amendment S. 300, to amend the act of Aug. 28, 1958, establishing a study commission for certain river basins, so as to provide for the appointment to such Commission of separate representatives for the Guadalupe and San Antonio River Basins (pp. 15980-1). This bill will now be sent to the President.

Passed with amendment H. R. 5711, granting the consent and approval of Congress to the Wabash Valley Compact (pp. 15983-5). The bill states that there has been a lack of comprehensive planning in the Wabash Valley and that there needs to be adequate organization to facilitate the coordinated development of the valley and to promote agricultural and other types of development in the valley.

28. LEGISLATIVE PROGRAM. Rep. McCormack announced that the following bills will be considered Tues., Sept. 1, under motions to suspend the rules: H. R. 8639, industrial-uses research bill; H. R. 7681, Reorganization Plan 1 relating to forest lands; H. R. 7889, marketing quotas for rice; S. 2162, employee health insurance bill; H. R. 5813, effects of insecticides on fish and wildlife; H. R. 7476, extend air pollution act; and S. 2181, amendments to Mineral Leasing Act. p. 15986.

ITEMS IN APPENDIX

29. APPROPRIATIONS. Extension of remarks of Rep. Cannon discussing the President's veto of the public works appropriation bill and inserting two lists indicating the unbudgeted items in this bill. pp. A7501-2.

Extension of remarks of Rep. Kee urging Congress to override the President's veto of this bill. p. A7532.

30. FARM PROGRAM. Extension of remarks of Rep. Cooley criticizing the administration's farm program, and stating that "the veto power of the President, placed at Mr. Benson's disposal, has been raised as an absolute barrier between the farmers and their Government." pp. A7503-6

Extension of remarks of Sen. Langer inserting two GTA daily radio roundups discussing the farm program and food prices. pp. A7519-20

Rep. Rhodes inserted an address by Mr. Albert Whitehouse, industrial relations department, AFL-CIO discussing problems of unemployment, criticizing the surplus disposal programs and stating that "because we are fools, we have geared our food surplus program to the market." pp. A7545-7

Extension of remarks of Rep. Alger inserting an article, "New Source of Food for Millions--Way Found to Grow Winter Grains In Tropics in Third of Normal Time," and asking "how welcome will be additional grain production when present surpluses bulge our warehouses?" p. A7547

Rep. Norblad inserted an article, "Unworkable Price Supports." pp. A7547-8

Extension of remarks of Rep. Rees inserting an editorial, "The Farmer Is Still an Important Citizen," and stating that "it concerns the general farm situation as it relates to other industries and especially its importance to the human race." pp. A7553-4

31. HOUSING. Sen. Sparkman commended and inserted an editorial, "All Or Nothing," which suggests that neither the President nor Congress can afford to take an "all-or-nothing" position regarding housing legislation. p. A7512
32. RECREATION. Sen. Douglas inserted an article by Sen. Neuberger outlining proposed plans for the preservation of scenic shorelines. pp. A7514-5
Rep. Aspinall inserted an article outlining the recreation potential that exists in connection with the reservoirs to be constructed as a part of the Colorado River storage project. pp. A7527-3
33. EXPERIMENT STATIONS. Extension of remarks of Sen. Neuberger commending the agricultural experiment stations operated through this Department as being as significant to rural America "as the mail order house or good harvest weather," and inserting an editorial, "Work of the Experiment Stations." pp. A7518-9
34. LANDS. Extension of remarks of Rep. Aspinall stressing the need for caution in applying for public lands, and inserting extracts from a new Bureau of Land Management pamphlet, "Information of Public Lands." p. A7519
35. DEPRESSED AREAS. Extension of remarks of Rep. Kee making "one more plea" for legislation to aid the economically depressed areas. p. A7520
36. PRICES. Rep. Ray inserted an address by Hon. Saulnier, Chairman of the President's Council of Economic Advisers, "Achieving Price Stability as a Basis for Economic Growth in a Free Society." pp. A7528-30
37. ELECTRIFICATION. Rep. Utt inserted an editorial, "No Logic in Politics, as TVA and Now Trinity Project Show." p. A7532
38. COFFEE. Extension of remarks of Rep. Anfuoso discussing two recent surveys on world coffee production and U. S. coffee consumption. p. A7551

BILLS INTRODUCED

39. DISASTER RELIEF; FOREST ROADS. S. 2623, by Sen. Murray (for himself and Sen. Mansfield), H. R. 8946, by Rep. Anderson, Mont., and H. R. 8959, by Rep. Metcalf, relating to emergency relief, and amending sections 120 and 125 of title 23, U.S.C.; to Committees on Public Works, pp. 15919, 15023. Remarks of Sen. /, pp. 15920-1.
Murray
40. RECLAMATION. H.R. 8947, by Rep. Baldwin and H. R. 8961, by Rep. McFall, relating to the operation and maintenance by the Secretary of the Interior of reclamation works on rivers and streams tributary to the Sacramento-San Joaquin Delta in Calif.; to Committee on Interior and Insular Affairs, p. 15023.
41. MEAT INSPECTION. H.R. 8951, by Rep. Hagen and H.R. 8954, by Rep. Moran, to permit the Department of Agriculture to cooperate with the meat inspection services of the various States; to Committee on Agriculture, p. 15023.
42. PROPERTY. H.R. 8958, by Rep. Macdonald, to authorize the payment to local governments of sums in lieu of taxes and special assessments with respect to certain Federal real property; to Committee on Interior and Insular Affairs, p. 15023

With the following committee amendments:

Page 2, line 5, strike out the words "imprisoned for a crime which he did not commit", and insert in lieu thereof the word "imprisoned."

Strike out all of the preamble.

The amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO PENITENTIARY IMPRISONMENT

The Clerk called the bill (S. 1647) to amend section 4083, title 18, United States Code, relating to penitentiary imprisonment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4083, title 18, United States Code, relating to penitentiary imprisonment, is amended to read as follows:

"§ 4083. Penitentiary imprisonment; consent

"Persons convicted of offenses against the United States or by courts-martial punishable by imprisonment for more than one year may be confined in any United States penitentiary.

"A sentence for an offense punishable by imprisonment for one year or less shall not be served in a penitentiary without the consent of the defendant."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPUTATION OF GOOD TIME ALLOWANCES FOR PRISONERS

The Clerk called the bill (S. 1645) to amend section 4161 of title 18, United States Code, relating to computation of good time allowances for prisoners.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 4161 of title 18, United States Code, is amended by striking out the words "to be credited as earned and computed monthly".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESIDENCE REQUIREMENTS FOR POSTMASTER APPOINTMENTS

The Clerk called the bill (H.R. 5571) to exempt regular and classified substitute employees in post offices of the first, second, and third classes from residence requirements governing appointment and service of postmasters at post offices to which such employees are assigned.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. GUBSER. Mr. Speaker, as author of the bill I would like to explain anything the gentleman from

Massachusetts wishes to know about the bill.

Mr. BOLAND. As one of the official objectors I have been requested to ask that the bill be passed over, and that is what I have done.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORITY OF CUSTOMS COURT TO APPOINT EMPLOYEES

The Clerk called the bill (S. 1947) relating to the authority of the Customs Court to appoint employees, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 55 of title 28 of the United States Code is amended to read as follows:

"CHAPTER 55—CUSTOMS COURT

"Sec.

"§ 71. Clerk, chief deputy clerk, assistant clerk, deputies, assistants, and other employees.

"§ 72. Marshal and deputy marshals.

"§ 73. Criers, bailiffs, and messengers.

"§ 71. Clerk, chief deputy clerk, assistant clerk, deputies, assistants, and other employees.

"The Customs Court may appoint a clerk, a chief deputy clerk, an assistant clerk, deputy clerks, and such deputies, assistants, and other employees as may be necessary for the effective dispatch of the business of the court, who shall be subject to removal by the court.

"§ 72. Marshal and deputy marshals.

"The Customs Court may appoint a marshal and deputy marshals, who shall be subject to removal by the court.

"The marshal and his deputies shall attend court at its sessions, serve and execute all process and orders issued by it, and exercise the powers and perform the duties concerning all matters within such court's jurisdiction assigned to them by the court.

"Under regulations prescribed by the Director of the Administrative Office of the United States Courts, the marshal shall pay the salaries, office expenses, and travel and subsistence allowances of the judges, officers, and employees of the court, and shall disburse funds appropriated for all expenses of the court.

"On all disbursements made by the marshal of the Customs Court for official salaries or expenses, the certificate of the payee shall be sufficient without verification on oath.

"§ 73. Criers, bailiffs, and messengers.

"The Customs Court may appoint such criers as it may require for said court, which criers shall also perform the duties of bailiffs and messengers and such other duties as the court directs and shall be subject to removal by the court."

SEC. 2. Section 550(b) of title 28 of the United States Code is amended by striking out "judges of the Customs Court,".

SEC. 3. The first paragraph of section 253 of title 28 of the United States Code is amended to read as follows:

"The chief judge of the Customs Court, with the approval of the court, shall supervise the fiscal affairs and clerical force of the court. The chief judge shall assign or reassign, before trial and under rules of the

court, any case for hearing, determination, or both; and promulgate dockets."

SEC. 4. Nothing contained in the amendments made by this Act shall be construed to deprive any person serving on the date of enactment of this Act as an officer or employee of the Customs Court of any rights, privileges, or civil service status, if any, to which such person is entitled under the laws of the United States or regulations thereunder.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DETENTION OF MAIL FOR TEMPORARY PERIODS

The Clerk called the bill (H.R. 7379) to amend the act of July 27, 1956, with respect to the detention of mail for temporary periods in the public interest, and for other purposes.

Mr. McFALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ADDITIONAL FEDERAL HOME LOAN BANK DIRECTORS

The Clerk called the bill (H.R. 8591) to amend section 7 of the Federal Home Loan Bank Act so as to authorize additional directors for Federal home loan banks under certain circumstances.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

GRANTING CONSENT TO THE WABASH VALLEY COMPACT

The Clerk called the bill (H.R. 5711) granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Illinois and Indiana to enter into the Wabash Valley Compact in the form as follows:

"THE WABASH VALLEY COMPACT

"Article I

"Findings and Purpose

"The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that under-utilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the valley. To this end it is the purpose of the party states to recognize and

provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the valley.

"Article II

"The Valley

"As used in this compact, the term 'Wabash Valley' shall mean the Wabash River, its tributaries, and all land drained by said river and tributaries, to whatever extent they lie within the party states.

"Article III

"The Wabash Valley Interstate Commission

"(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

"(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"(c) The Commission may sue and be sued, and shall have a seal.

"(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

"(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

"(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

"(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

"(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state of the United States or any subdivision or agency thereof, or interstate

agency, or from any institution, person, firm or corporation, and may receive, utilize, and dispose of the same.

"(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

"(j) The Commission may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

"(k) The Commission annually shall make to the Governor of each party state, a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission which report shall be transmitted to the legislature of said state. The Commission may issue such additional reports as it may deem desirable.

"Article IV

"Finances

"(a) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

"(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Subject to appropriation by the respective legislatures the Commission shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

"(c) The Commission may meet any of its obligations in whole or in part with funds available to it under Article III (h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article III (h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

"(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

"(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"(f) The accounts of the Commission shall be open at any reasonable time for inspection.

"Article V

"Advice and Cooperation

"(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: Provided that if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical ad-

visory committee. The Commission shall provide under its bylaws for the procedures for the reference of questions to such committee.

"(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal government, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

"Article VI

"Functions

"The Commission shall have the power to:

"A. Promote the balanced development of the Wabash Valley by

"(1) Correlating and reporting on data significant to such development.

"(2) Recommending the coordination of studies by the agencies of the party states to provide such data.

"(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

"(4) Recommending standards as guides for local and state zoning and other action which will promote balanced development by encouraging the establishing of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wild life preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities and other appropriate measures.

"(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

"(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

"B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

"(1) Encouraging the classification of Valley lands in terms of appropriate uses.

"(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

"(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

"(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

"(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

"(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

"C. Secure the necessary research and developmental activities by:

"(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure

the undertaking thereof by a qualified public or private agency.

"(2) Making contracts for studies, investigations and research in any of the fields of its interest.

"(3) Publishing and disseminating reports.

"D. Make recommendations for appropriate action to:

"(1) The legislatures and executive heads of the party states and the federal government.

"(2) The agencies of the party states and the federal government.

"E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

"Article VII

"Enactment and Withdrawal

"This compact shall become effective when entered into and enacted into law by the States of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

"Article VIII

"Construction and Severability

"The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstances is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed."

SEC. 2. A Federal representative, to the Wabash Valley Interstate Commission shall be appointed by the President, and he shall report to the President either directly or through such agency or official as the President may specify. Such representative shall have no vote on the commission. His compensation shall be in such amount, not in excess of \$100 per diem, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed \$10,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer or a retired Federal civilian officer or employee may be appointed as such representative, without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity but the sum of his retired pay or annuity and such additional compensation as may be paid hereunder shall not exceed \$12,000 in any one calendar year. The Federal representative shall be entitled to travel expenses, he shall also be provided with office space, stenographic service, and other necessary administrative services. The compensation of the Federal representative shall be paid from available appropriations for the White House Office or from funds available to the President in connection with special projects. Travel expenses, office space, stenographic, and administrative services shall be paid from any available appropriations selected by the head of such agency or agencies as may be designated by the President to provide such expenses.

SEC. 3. The Wabash Valley Interstate Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

With the following committee amendments:

Page 1, lines 4 and 5, strike out the words "to enter into the Wabash Valley Compact" and insert in lieu thereof "for the compact, known as the Wabash Valley Compact. (Laws of Indiana, 1959, chapter 3, approved February 26, 1959, House Enrolled Act No. 22; Laws of Illinois, 1959, approved March 20, 1959, Senate bill No. 78)."

Page 13, line 16, add the following new sections:

"SEC. 5. Nothing contained in this act or in the compact herein consented to shall be construed as impairing or affecting the authority of the United States of any of its rights or jurisdiction in and over the area or waters which are the subject of the compact.

"SEC. 6. That all future legislation enacted pursuant to Article V, Clause E of the compact, requiring concurrent action by the States of Indiana and Illinois, shall be submitted to Congress for approval before such legislation becomes effective.

"SEC. 7. Nothing contained herein shall be interpreted or construed as approving any act, action or conduct which is or has been or may be in violation of existing law nor shall anything herein contained constitute a defense to any action, suit or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action or conduct.

"SEC. 8. The right is hereby reserved to the Congress or any of its standing committees to require the disclosure and furnishing of such information or data by the Wabash Valley Interstate Commission as is deemed appropriate by the Congress or any such Committee."

The amendments were agreed to.

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 14, line 9, strike out "V" and insert "VI."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN AGENTS REGISTRATION ACT

The Clerk called the bill (H.R. 6817) to amend sections 1 and 3 of the Foreign Agents Registration Act of 1938, as amended.

Mr. GROSS. Mr. Speaker, reserving the right to object, will some member of the committee tell me whether this bill increases the number of foreign agents? Or just what does it do?

Mr. ROGERS of Colorado. This bill proposes to broaden and clarify present law. There is a question as to whether or not an individual working for an organization engaged in legitimate business financed or partly financed by a foreign country, should come under this act. This bill makes it certain that they do.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. McCORMACK. I was the author of the original act back some years ago in 1935 and 1936, the Foreign Agents Registration Act, and, naturally, I follow any amendment to it very closely. I can

assure the gentleman that these amendments are very good ones. I originally introduced the bill as a result of the findings of a special committee of which I was chairman, which investigated communism, nazism, fascism, and bigotry in 1934.

This bill was one of the recommendations of my special committee, and what is known as the Smith Act was another recommendation of my special committee. This Foreign Agents Registration Act was very effective during the war, and it is a very effective piece of legislation in meeting subversive activities, sabotage, or anything of that kind. This amendment is a very good one, I assure the gentleman.

Mr. GROSS. My interest in this matter goes to the small army of Americans who are now hiring themselves out to represent foreign governments and foreign corporations in this country. Some of them are being paid fancy fees for representing governments and corporations.

A former Governor of New York, I understand, is being paid a couple of hundred thousand dollars to promote trade for Japan, and so it goes. He is also on the payroll of the Turkish Government for a substantial fee, or was a few months ago.

Does this bill deal with those people? That is what I am trying to get at. Does this bill have anything to do with those people? They are agents of foreign governments, are they not?

Mr. ROGERS of Colorado. For propaganda purposes.

Mr. GROSS. I do not believe it is limited to propaganda. I think in this instance the former Governor is engaged in something more than propaganda.

Mr. ROGERS of Colorado. All I can say to the gentleman is the purpose of it, and I am sure the gentleman from New York on your right will verify this, is to define a foreign principal as that term is being used in the act: Domestic organizations which are substantially supervised, directed, controlled or financed by a foreign government or a foreign political party. That is the wording of the law, and this additional definition will bring agents of domestic corporations within the purview of the registration requirement of the act, regardless of whether such organizations are subsidized, which was heretofore the only requirement. In other words, it broadens rather than narrows, and this has been requested by the Department of Justice.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. LINDSAY. I may say to the gentleman from Iowa that the gentleman from Colorado is absolutely correct. The effect of this amendment will be to broaden the coverage of the Foreign Agents Registration Act.

Mr. GROSS. Let me ask the gentleman, by "foreign agents" the gentleman means those who are being paid a fee for representing foreign governments in this country?

Mr. LINDSAY. That is correct. Prior to this time a domestic organization was required to have been found to be "subsidized" by a foreign principal in order to come within the coverage of the act. They have found in the administration of the act that there have been technical difficulties surrounding the requirement of making that finding, therefore this amendment broadens it to include the words "supervised, directed, controlled, or financed."

Mr. GROSS. I wish the amendment had provided for a reduction in the number of American agents representing foreign governments for fat fees. I wish the bill had provided for that.

Mr. LINDSAY. The purpose of the Registration Act is to require registration.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. I think in fairness the gentleman would want the record straight. He just made reference to the fact that a former Governor of New York was getting \$200,000 a year for representing a foreign government. I saw a statement in a number of papers to that effect, but subsequently I saw a statement in the papers where he had declined the offer to represent a foreign government.

Mr. GROSS. And subsequently there was another item in the paper saying he was reconsidering his alleged declination.

Mr. PELLY. The gentleman has made a statement, and I do not believe it is proper to leave it in that loose fashion unless the gentleman knows he is representing the foreign government. I do not think the gentleman should make that statement.

Mr. GROSS. A few weeks ago I called the Justice Department to find out if he was then representing the Government of Turkey and was being paid for that representation. I was informed that was correct and the amount of his last payment was given me. I have no doubt he is now representing the Government of Japan. He is not the only one. Do not misunderstand me. I can recall a certain law firm of which a former Secretary of State was a member. His name did not appear on the door when he was Secretary of State but he was in and out of the State Department. His law firm was paid, as I recall it, \$90,000 as a fee in connection with a loan for Poland. That has been several years ago. But it was after Poland fell behind the Iron Curtain.

Mr. ROGERS of Colorado. This is not a question of who gets what fees. The question is, Shall he register under the Registration Act?

Mr. GROSS. I will say to the gentleman I am now satisfied on that point. I was responding a moment ago to the remarks of my friend, the gentleman from Washington [Mr. PELLY]. I am now satisfied on the point that the gentleman has made with reference to the bill.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1(b) of the Foreign Agents Registration Act of 1938, as amended (56 Stat. 248), is amended by adding thereto a new paragraph (6) to read as follows:

"(6) A domestic partnership, association, corporation, organization, or other combination of individuals, supervised, directed, controlled, or financed, in whole or in substantial part, by any foreign government or foreign political party;"

Sec. 2. Section 3(d) of such Act is amended to read as follows:

"(d) Any person engaging or agreeing to engage only in private and nonpolitical financial or mercantile activities in furtherance of the bona fide trade or commerce of such foreign principal or in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering, if such solicitation or collection of funds and contributions is in accordance with and subject to the provisions of the Act of November 4, 1939, as amended (54 Stat. 48), and any such rules and regulations as may be prescribed thereunder."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. ROGERS of Colorado asked and was given permission to extend his remarks at this point in the Record.)

Mr. ROGERS of Colorado. Mr. Speaker, H.R. 6817 amends the Foreign Agents Registration Act by adding to the definition of a "foreign principal," as that term is used in the act, domestic organizations which are substantially "supervised, directed, controlled, or financed" by a foreign government or foreign political power. This additional definition will bring agents of domestic corporations within the purview of the registration requirements of the act irrespective of whether such organizations are subsidized, which was heretofore the only requirement.

In addition, the bill clarifies the so-called commercial exemption provisions of the Foreign Agents Registration Act by providing that an agent of a foreign principal, in order to be eligible for exemption from registering under the act, must be engaged in activities which are either private and nonpolitical and financial or private and nonpolitical and mercantile.

The present language of the act has proved ambiguous and has led to difficult administrative problems. It has been argued that an agent of a foreign principal is exempt from registering if the agent is engaging only in private, or nonpolitical, or mercantile or other activities in furtherance of the business of his foreign principal. In other words, if the agent is engaged in only one of the above conditions, as distinguished from meeting several or all of the requirements, he is not obliged to register. As rewritten, the section makes it clear that for an agent to qualify for exemption from the obligation of registering

he must be engaged in activities which meet either of two sets of three requirements, namely, the activities must be private and nonpolitical and financial or private and nonpolitical and mercantile. If any one of these requirements is lacking, the agent cannot qualify for exemption and therefore must register under the act.

House Report No. 949, 86th Congress, which accompanies the instant bill H.R. 6817, is incorrect on this point and does not make it clear that it is the agent and not the foreign principal who, under section 2 of the bill, must be engaging in private and nonpolitical financial or mercantile activities. Likewise with regard to section 1, it is intended in further defining "foreign principal" to bring agents of domestic organizations within the purview of the registration requirements of the act.

PROGRAM FOR BALANCE OF THE WEEK

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the majority leader if he will inform us as to the program for the balance of the week.

Mr. McCORMACK. I will be very happy to do so. The other day, when I obtained unanimous consent that tomorrow would be considered suspension day, I stated that I would announce to the House before the day was over the bills that would be on the program tomorrow for suspension. They are as follows:

S. 2162, health benefits program for Federal employees.

H.R. 2164, reduce cabaret taxes.

H.R. 7379, detention of mail, obscene matter.

H.R. 7476, extending Air Pollution Control Act.

H.R. 7889, rice marketing quotas.

H.R. 8639, Agricultural Research and Development Commission.

H.R. 3151, withholding city income taxes.

S. 2181, amend Mineral Leasing Act of 1929.

H.R. 4279, construct lower Rio Grande, Tex., rehabilitation project.

H.R. 7681, Reorganization Plan No. 1, 1959.

H.R. 3792, admitting the vessel *John F. Drews* to American registry.

H.R. 5004, fish, research on migratory species.

H.R. 5813, fish and wildlife, effect of insecticides.

S. 107, vessels, definition of drydocks.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. It is my understanding that H.R. 7681 has been scheduled, by agreement between the leadership on both sides, for suspension on Tuesday.

Mr. McCORMACK. Under certain conditions.

Mr. BROWN of Ohio. With certain amendments that have been agreed to

Sept 14, 1959

12. PEANUTS. Passed without amendment H. R. 4938, to amend the Agricultural Adjustment Act of 1938 to continue for two years the exemption of green peanuts (produced for consumption as boiled peanuts) from acreage allotments and marketing quotas (p. 18039). This bill will now be sent to the President.
13. WATER RESOURCES. Passed without amendment H. R. 5711, granting the consent and approval of Congress to the Wabash Valley Compact (pp. 17867-8). This bill will now be sent to the President. The bill states that there has been a lack of comprehensive planning in the Wabash Valley and that there needs to be adequate organization to facilitate the coordinated development of the valley and to promote agriculture and other types of development in the valley.
14. FARM LOANS. Sen. Allott inserted a letter from Secretary Benson favoring the enactment of S. 2144, to simplify, consolidate, and improve the authority of the Secretary of Agriculture with respect to loans to farmers and ranchers. pp. 17850-1
15. FORESTRY; RECREATION. Sen. Neuberger inserted his newspaper article favoring enactment of an omnibus bill or the administration bill authorizing the preservation of certain shoreline areas, both of which would probably include the Oregon National Dunes. pp. 17851-2
16. FARM LABOR. Sen. Morse commended and inserted an article emanating from the National Sharecropper Fund under the chairmanship of Frank P. Graham entitled "The Voice of the Disinherited -- A Brief History of the Agricultural Workers Union, 1934-59," stating that the major accomplishment of the union has been calling the public's attention to the conditions of the sharecropper and hired farmworker. pp. 18052-4
17. EXECUTIVE PRIVILEGE; INFORMATION. Sen. Monroney inserted a number of memoranda from the hearings of a House subcommittee on the refusal of an Executive department to furnish certain information to the Comptroller General. pp. 17940-61
18. PLANT RESEARCH. Sen. Stennis announced, on the basis of a USDA news release which he inserted, that the chemical substance that controls plant growth has been found and stated that this reconfirms his belief that funds spent for research are our "soundest investment." pp. 17961-2
19. MINERALS. Received from the President a message transmitting the second semi-annual report of the Interior Department entitled "To provide a program for the discovery of the mineral reserves of the United States ..." p. 17839
20. INFORMATION; TRADE FAIRS. Received from the President a message transmitting the sixth semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956. p. 17839
21. FISH. Received from the State Department a proposed bill "to give effect to the convention between the United States of America and Cuba for the conservation of shrimp, signed at Havana, August 15, 1958"; to the Foreign Relations Committee.
22. TRANSPORTATION. Sen. Bush inserted a resolution from the Connecticut Public Utilities Commission opposing the enactment of S. 2417, which would remove the exemption from ICC certification of certain motor carriers certified under State law but operating in interstate commerce. p. 17840

23. INTEREST RATES. Sen. Bush urged his colleagues to talk with people who are "competent" such as "bankers particularly and those who operate insurance companies" in relation to the interest rate issue. pp. 17847-8
24. FOREIGN AFFAIRS. Sen. Fulbright inserted a resume of the activities of the Foreign Relations Committee during the 1st Session of Congress, including several agricultural matters. pp. 18060-2
25. OLEOMARGARINE. Began debate on S. 2168, to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine. Sen. Prouty objected to a unanimous consent agreement to limit debate on the bill. p. 18062
26. CONGRESSIONAL ACTION. Sen. Morse stated that Congress should not adjourn until it completes action on "must legislation" including several farm bills. pp. 17846-7
27. REGULATORY AGENCIES. Sen. McCarthy stated that Americans have become aware of the "poor judgment" used by certain regulatory commissions in relation to the industries they are supposed to regulate and cited the Federal Power Commission's enforcement of the Natural Gas Act. He warned against the "failure" of these agencies in carrying out the Congressional mandate and inserted several articles on the subject. pp. 17899-901

ITEMS IN APPENDIX

28. RESEARCH; EDUCATION. Extension of remarks of Sen. Humphrey inserting his recent address before the International Conference on Machine Research and Translation in which he discussed and urged passage of his proposed bill to establish a Department of Science and Technology. pp. A8113-6
29. WATER RESOURCES. Extension of remarks of Sen. Neuberger stressing the value of water resources development to the growth of the Northwest, and inserting an editorial supporting his proposed bill to establish a Bonneville Regional Corporation. p. A8120
30. FARM PROGRAM. Extension of remarks of Sen. Young, N. Dak., commending and inserting a business man's statement sent to the Senate and House Agriculture Committees, discussing problems of agriculture, and offering suggestions to facilitate the disposal of existing surpluses. pp. A8123-4
Extension of remarks of Sen. Yarborough criticizing the administration as having "lacked the will or the ability to present any constructive solution to America's trouble on the farm," and inserting two articles, "Is the USDA Anti-Farmer?" and "Farm Myths Exploded." pp. A8130-1
31. ELECTRIFICATION. Extension of remarks of Rep. Simpson inserting his letter to Clyde T. Ellis, general manager of the National Rural Electric Cooperative Ass'n, and stating that it is "self-explanatory" and deserves the attention of every Member of Congress. p. A8127
32. PUBLIC WORKS. Extension of remarks of Sen. Mansfield inserting a letter written by Sen. Murray in response to an editorial pertaining to "pork barrel politics." pp. A8127-8
33. FOREIGN AID. Sen. Wiley inserted his statement "reviewing the merits of this essential program, as well as answering some of the questions that have been raised." pp. A8131-2

86TH CONGRESS
1ST SESSION

H. R. 5711

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 1 (legislative day, AUGUST 31), 1959

Received

SEPTEMBER 14, 1959

Read twice, considered, read the third time, and passed

AN ACT

Granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the consent of Congress is hereby given to the States
4 of Illinois and Indiana for the compact, known as the
5 Wabash Valley Compact (Laws of Indiana, 1959, chap-
6 ter 3, approved February 26, 1959, House Enrolled Act
7 No. 22; Laws of Illinois, 1959, approved March 20, 1959,
8 Senate Bill No. 78), in the form as follows:

1 “THE WABASH VALLEY COMPACT

2 “ARTICLE I

3 “FINDINGS AND PURPOSE

4 “The party states find that the Wabash Valley has suf-
5 fered from a lack of comprehensive planning for the optimal
6 use of its human and natural resources and that under-
7 utilization and inadequate benefits from its potential wealth
8 are likely to continue until there is proper organization to
9 encourage and facilitate coordinated development of the Wa-
10 bash Valley as a region and to relate its agricultural, indus-
11 trial, commercial, recreational, transportation, development
12 and other problems to the opportunities in the Valley. To
13 this end it is the purpose of the party states to recognize
14 and provide for such development and coordination and to
15 establish an agency of the party states with powers suffi-
16 cient and appropriate to further regional planning for the
17 Valley.

18 “ARTICLE II

19 “THE VALLEY

20 “As used in this compact, the term ‘Wabash Valley’
21 shall mean the Wabash River, its tributaries and all land
22 drained by said river and tributaries, to whatever extent they
23 lie within the party states.

1 "ARTICLE III

2 "THE WABASH VALLEY INTERSTATE COMMISSION

3 "(a) There is hereby created an agency of the party
4 states to be known as the Wabash Valley Interstate Com-
5 mission (hereinafter called the Commission). The Commis-
6 sion shall be composed of seven Commissioners from each
7 party state designated or appointed in accordance with the
8 law of the state which they represent and serving and sub-
9 ject to removal in accordance with such law. The federal
10 government may be represented without vote if provision
11 is made by federal law for such representation.

12 "(b) The Commissioners of the party states shall each
13 be entitled to one vote in the Commission. No action of the
14 Commission shall be binding unless taken at a meeting in
15 which a majority of the members from each party state are
16 present and unless a majority of those from each state concur,
17 provided that any action not binding for such a reason may
18 be ratified within thirty days by the concurrence of a ma-
19 jority of each state. In the absence of any Commissioner,
20 his vote may be cast by another representative or Commis-
21 sioner of his state provided that said Commissioner or other
22 representative casting said vote shall have a written proxy
23 in proper form as may be required by the Commission.

1 “(c) The Commission may sue and be sued, and shall
2 have a seal.

3 “(d) The Commission shall elect annually, from among
4 its members, a chairman, a vice-chairman and a treasurer.
5 The Commission shall appoint an executive director who
6 shall also act as secretary, and who, together with the treas-
7 urer, shall be bonded in such amounts as the Commission
8 may require.

9 “(e) The Commission shall appoint and remove or dis-
10 charge such personnel as may be necessary for the perform-
11 ance of the Commission’s functions irrespective of the civil
12 service, personnel or other merit system laws of any of the
13 party states.

14 “(f) The Commission may establish and maintain, inde-
15 pendently or in conjunction with any one or more of the
16 party states, a suitable retirement system for its employees.
17 Employees of the Commission shall be eligible for social
18 security coverage in respect of old-age and survivors insur-
19 ance provided that the Commission takes such steps as may
20 be necessary pursuant to federal law to participate in such
21 program of insurance as a governmental agency or unit.
22 The Commission may establish and maintain or participate
23 in such additional programs of employee benefits as may be
24 appropriate to afford employees of the Commission terms and

1 conditions of employment similar to those enjoyed by em-
2 ployees of the party states generally.

3 “(g) The Commission may borrow, accept, or contract
4 for the services of personnel from any state or the United
5 States or any subdivision or agency thereof, from any inter-
6 state agency, or from any institution, person, firm or cor-
7 poration.

8 “(h) The Commission may accept for any of its pur-
9 poses and functions under this compact any and all donations,
10 and grants of money, equipment, supplies, materials, and
11 services, conditional or otherwise, from any state of the
12 United States or any subdivision or agency thereof, or inter-
13 state agency, or from any institution, person, firm or cor-
14 poration, and may receive, utilize, and dispose of the same.

15 “(i) The Commission may establish and maintain such
16 facilities as may be necessary for the transacting of its busi-
17 ness. The Commission may acquire, hold, and convey real
18 and personal property and any interest therein.

19 “(j) The Commission may adopt, amend, and rescind
20 bylaws, rules, and regulations for the conduct of its business.

21 “(k) The Commission annually shall make to the Gov-
22 ernor of each party state, a report covering the activities
23 of the Commission for the preceding year, and embody-
24 ing such recommendations as may have been adopted by

1 the Commission which report shall be transmitted to the
2 legislature of said state. The Commission may issue such
3 additional reports as it may deem desirable.

4 "ARTICLE IV

5 "FINANCES

6 "(a) The Commission shall submit to the executive head
7 or designated officer or officers of each party state a budget
8 of its estimated expenditures for such period as may be re-
9 quired by the laws of that jurisdiction for presentation to the
10 legislature thereof.

11 "(b) Each of the Commission's budgets of estimated
12 expenditures shall contain specific recommendations of the
13 amount or amounts to be appropriated by each of the party
14 states. Subject to appropriation by the respective legisla-
15 tures the Commission shall be provided with such funds by
16 each of the party states as are necessary to provide the
17 means of establishing and maintaining facilities, a staff of per-
18 sonnel, and such activities as may be necessary to fulfill the
19 powers and duties imposed upon and entrusted to the Com-
20 mission.

21 "(c) The Commission may meet any of its obligations
22 in whole or in part with funds available to it under Article
23 III (h) of this compact, provided that the Commission takes
24 specific action setting aside such funds prior to the incurring
25 of any obligation to be met in whole or in part in this man-

1 ner. Except where the Commission makes use of funds
2 available to it under Article III (h) hereof, the Commission
3 shall not incur any obligations prior to the allotment of funds
4 by the party jurisdictions adequate to meet the same.

5 “(d) The expenses and any other costs for each member
6 of the Commission shall be met by the Commission in ac-
7 cordance with such standards and procedures as it may estab-
8 lish under its bylaws.

9 “(e) The Commission shall keep accurate accounts of
10 all receipts and disbursements. The receipts and disburse-
11 ments of the Commission shall be subject to the audit and
12 accounting procedures established under its bylaws. How-
13 ever, all receipts and disbursements of funds handled by the
14 Commission shall be audited yearly by a qualified public
15 accountant and the report of the audit shall be included in
16 and become a part of the annual report of the Commission.

17 “(f) The accounts of the Commission shall be open at
18 any reasonable time for inspection.

19 “ARTICLE V

20 “ADVICE AND COOPERATION

21 “(a) The Commission shall establish a technical advi-
22 sory committee which shall be composed of representatives
23 of such departments or agencies of the governments of the
24 party states as have significant interest in the subject matter
25 of the Commission's work: Provided that if pursuant to the

1 laws of a party state a representative of any such depart-
2 ment or agency serves as a member of the Commission said
3 department or agency need not be represented on the tech-
4 nical advisory committee. The Commission shall provide
5 under its bylaws for procedures for the reference of questions
6 to such committee.

7 “(b) The Commission may establish other advisory and
8 technical committees composed of private citizens, expert
9 and lay personnel, representatives of industry, labor, com-
10 merce, agriculture, civic associations, and officials of local,
11 state and federal government, and may cooperate with and
12 use the services of any such committee and the organizations
13 which they represent in furthering any of its activities under
14 this compact. The Commission shall encourage citizen
15 organization and activity for the promotion of the objectives
16 of this compact.

17 “ARTICLE VI

18 “FUNCTIONS

19 “The Commission shall have power to:

20 “A. Promote the balanced development of the
21 Wabash Valley by

22 “(1) Correlating and reporting on data signifi-
23 cant to such development.

24 “(2) Recommending the coordination of

1 studies by the agencies of the party states to provide
2 such data.

3 “(3) Publishing and disseminating materials
4 and studies which will encourage the economic de-
5 velopment of the Valley.

6 “(4) Recommending standards as guides for
7 local and state zoning and other action which will
8 promote balanced development by encouraging the
9 establishing of industrial parks to facilitate in-
10 dustrial development, the reservation of stream bank
11 and lake shore areas for recreation and public access
12 to water, the preservation of marshes and other
13 suitable areas as wild life preserves, the afforesta-
14 tion and sustained yield forest management of sub-
15 marginal lands, the protection of scenic values and
16 amenities and other appropriate measures.

17 “(5) Preparing in cooperation with appro-
18 priate governmental agencies a master plan for the
19 identification and programming of public works.

20 “(6) Cooperating with all appropriate govern-
21 mental agencies in the encouragement of tourist
22 traffic and facilities in the Valley.

23 “B. Recommend integrated plans and programs for

1 the conservation, development and proper utilization
2 of the water, land and related natural resources of the
3 Wabash Valley, including but not limited to:

4 “(1) Encouraging the classification of Valley
5 lands in terms of appropriate uses.

6 “(2) Cooperating in the development of ap-
7 propriate plans for flood protection, including but
8 not limited to the construction of protective works
9 and reservoirs.

10 “(3) Developing public awareness of the need
11 for flood plain zoning and in cooperation with the
12 appropriate agencies of the party states and their
13 political subdivisions evolving standards for the im-
14 plementation and application of such zoning in the
15 Valley.

16 “(4) Reviewing the need for and appropriate
17 sources of suitable water supplies for domestic, mu-
18 nicipal, agricultural, power, industrial, recreation
19 and transportation purposes.

20 “(5) Encouraging a pattern of land use and
21 resource management which will increase the natu-
22 ral wealth of the Valley and promote the welfare
23 of its inhabitants.

24 “(6) In cooperation with appropriate agencies,
25 analyzing the recreational needs and potential of the

Valley and developing a program for the use and maximization of recreational resources.

“C. Secure the necessary research and developmental activities by:

“(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

“(2) Making contracts for studies, investigations and research in any of the fields of its interest.

“(3) Publishing and disseminating reports.

“D. Make recommendations for appropriate action to:

“(1) The legislatures and executive heads of the party states and the federal government

“(2) The agencies of the party states and the federal government

“E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

1 "ARTICLE VII

2 "ENACTMENT AND WITHDRAWAL

3 "This compact shall become effective when entered
4 into and enacted into law by the States of Illinois and
5 Indiana. The compact shall continue in force and remain
6 binding upon each party state until renounced by legislative
7 action of either party state.

8 "ARTICLE VIII

9 "CONSTRUCTION AND SEVERABILITY

10 "The provisions of this compact shall be severable and
11 if any phrase, clause, sentence or provision of this compact
12 is declared to be unconstitutional or the applicability thereof
13 to any state, agency, person or circumstances is held invalid,
14 the constitutionality of the remainder of this compact and the
15 applicability thereof to any other state, agency, person or
16 circumstance shall not be affected thereby. It is the legis-
17 lative intent that the provisions of this compact be reasonably
18 and liberally construed."

19 SEC. 2. A Federal representative to the Wabash Valley
20 Interstate Commission shall be appointed by the President,
21 and he shall report to the President either directly or through
22 such agency or official as the President may specify. Such
23 representative shall have no vote on the commission. His

1 compensation shall be in such amount, not in excess of \$100
2 per diem, as the President shall specify, but the total amount
3 of compensation payable in any one calendar year shall not
4 exceed \$10,000: *Provided*, That if the Federal representa-
5 tive be an employee of the United States he shall serve with-
6 out additional compensation: *Provided further*, That a re-
7 tired military officer or a retired Federal civilian officer or em-
8 ployee may be appointed as such representative, without prej-
9 udice to his retired status, and he shall receive compensation
10 as authorized herein in addition to his retired pay or annuity
11 but the sum of his retired pay or annuity and such additional
12 compensation as may be paid hereunder shall not exceed
13 \$12,000 in any one calendar year. The Federal representa-
14 tive shall be entitled to travel expenses, he shall also be pro-
15 vided with office space, stenographic service, and other nec-
16 essary administrative services. The compensation of the
17 Federal representative shall be paid from available appro-
18 priations for the White House Office or from funds available
19 to the President in connection with special projects. Travel
20 expenses, office space, stenographic, and administrative serv-
21 ices shall be paid from any available appropriations selected
22 by the head of such agency or agencies as may be designated
23 by the President to provide such expenses.

1 SEC. 3. The Wabash Valley Interstate Commission con-
2 stituted by the compact shall make an annual report to Con-
3 gress not later than sixty days after the beginning of each
4 regular session thereof.

5 SEC. 4. The right to alter, amend, or repeal this Act
6 is expressly reserved.

7 SEC. 5. Nothing contained in this Act or in the compact
8 herein consented to shall be construed as impairing or affect-
9 ing the authority of the United States of any of its rights
10 or jurisdiction in and over the area or waters which are the
11 subject of the compact.

12 SEC. 6. That all future legislation enacted pursuant to
13 article VI, clause E of the compact, requiring concurrent
14 action by the States of Indiana and Illinois, shall be sub-
15 mitted to Congress for approval before such legislation be-
16 comes effective.

17 SEC. 7. Nothing contained herein shall be interpreted or
18 construed as approving any act, action, or conduct which is
19 or has been or may be in violation of existing law nor shall
20 anything herein contained constitute a defense to any action,
21 suit, or proceeding pending or hereafter instituted on account
22 of any prohibited antitrust or monopolistic act, action, or
23 conduct.

24 SEC. 8. The right is hereby reserved to the Congress or
25 any of its standing committees to require the disclosure and

- 1 furnishing of such information or data by the Wabash Val-
- 2 ley Interstate Commission as is deemed appropriate by the
- 3 Congress or any such committee.

Passed the House of Representatives August 31, 1959.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

Granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

SEPTEMBER 1 (legislative day, August 31), 1959
Received

SEPTEMBER 14, 1959

Read, twice, considered, read the third time, and passed

selves will be held responsible. That is why we say:

It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare, and with any interstate agency or any State or local government air pollution control agency in preventing or controlling the pollution of the air in any area insofar as the discharge of any matter from or by such property may cause or contribute to pollution of the air in such area.

That was done with the idea of placing responsibility upon the Federal agencies. We do not want to make the private industries comply with the law and then have a Federal agency violate the law.

Mr. RANDOLPH. Mr. President, the assurance given by the Senator from New Mexico is not only comforting but, I am sure, is factual, and indicates a very sincere desire to treat this subject matter fairly.

Mr. CHAVEZ. That is correct.

Mr. RANDOLPH. The Senator always conducts himself in that manner with regard to all such matters.

Mr. CHAVEZ. I thank the Senator.

Mr. RANDOLPH. The always diligent senior Senator from Pennsylvania [Mr. CLARK], who now stands beside me, knows that in Pennsylvania, as well as in West Virginia, we must be careful and alert to make sure that language is not incorporated which might be interpreted as excluding use of bituminous coal rather than correcting pollution. I am sure that in this respect I speak not only for myself but also for my esteemed colleague from West Virginia [Mr. BYRD] and the Senator from Pennsylvania [Mr. CLARK].

Mr. CHAVEZ. There is no such intention whatever.

Mr. RANDOLPH. We know that on Capitol Hill, in the past, in connection with the construction of office buildings, there has been some indication of a desire to eliminate the possible use of coal as a fuel.

Mr. CHAVEZ. That is correct.

Mr. RANDOLPH. We know there are improved methods of stoking, as well as modern mechanical and electrostatic dust collector and precipitator installations, which frankly bring coal not only into competition with other fuels from the standpoint of long range overall cost but, also, to the point where the use of bituminous coal has no worse effect in regard to air pollution than the use of oil. That is very important. Coal, in most major use areas, has met the antipollution requirements adequately and admirably. Perhaps other fuels might need to be placed to the same test if air pollution control is to be thorough and uniform. Proper control equipment can be up to 99 percent effective in curbing pollution from any fuel.

Mr. CHAVEZ. I am in complete agreement with what the Senator from West Virginia has said.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CLARK. I should like to associate myself with the comments made by my good friend from West Virginia. I hope that there is a great future ahead for heating with bituminous coal, which is produced not only in my State and his State, but elsewhere throughout the country.

Mr. CHAVEZ. Efforts are being made every day in the week, in every line of endeavor, to learn how to do the job better; and I am sure that that is true in the case of bituminous coal.

Mr. KUCHEL. Mr. President, about to be adopted is one of the most important pieces of domestic legislation confronting the present Congress. It is a continuation of the air pollution research legislation originally enacted in 1955, a piece of legislation of which, incidentally, I was very happy to be the author.

I congratulate the senior Senator from New Mexico for bringing back a wise and effective conference report. With great regret I observed that the House of Representatives chopped in two what we had done. The House of Representatives said, "We will continue this proposed 5-year program for another 2 years." It bordered on the ridiculous to assume that in the next 2 years we could make satisfactory progress in air pollution control.

The able senior Senator from New Mexico was able to negotiate a 4-year extension, and I congratulate him for it. With respect to the language upon which the Senator from West Virginia [Mr. RANDOLPH] had some questions, it has been indicated that we want Federal buildings or Federal installations to be operated on the basis that what should be done will be done, in cooperation with air pollution control agencies created under local government. Is that correct?

Mr. CHAVEZ. The Senator is correct.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. RANDOLPH. I share the view expressed by the energetic Senator from California. The questions raised, and which I indicated were important to those of us representing the bituminous coal-producing States, have been answered. There is no desire to thwart the valuable efforts of the Senate and House conferees. I merely wished reassurance, as it were, and that has been given in the affirmative.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CLARK. I should like to associate myself with the remarks of my good friend from California. In his State, as well as in my State, people have died as a result of air pollution.

It is of the greatest possible importance that this legislation be enacted. I am just as much interested in controlling air pollution as in any of the other aspects of the bill, or even more interested. In indicating my advocacy of the additional use of bituminous coal, I did not intend to indicate any-

thing other than complete support of what the Senator from New Mexico has done. Also, I salute my friend from California for his leadership in this connection.

Mr. KUCHEL. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

WABASH VALLEY COMPACT

Mr. JOHNSON of Texas. Mr. President, the distinguished junior Senator from Indiana [Mr. HARTKE] was the author of a Senate bill dealing with the granting of consent and approval of Congress to the Wabash Valley compact, and for related purposes. The bill passed the Senate and went to the House. Instead of reporting the Senate bill and considering it, the House chose to report its own bill, namely, H.R. 5711, which is substantially the same, with but a few minor differences. The House has passed H.R. 5711.

I therefore move that the Senate proceed to the consideration of H.R. 5711, and that the Chair lay the bill before the Senate.

Mr. MORSE. Mr. President, will the Senator yield for half a minute?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I have no objection to the bill, and shall support the motion. But in supporting the motion I should like to say that I am sure every Member of the Senate welcomes the distinguished junior Senator from Indiana back to the floor today. He has been in the hospital, ill. We have been very much concerned about him. We are very happy to see him back in, obviously, the best of health. We hope that he will use good judgment in taking care of himself, to see that he suffers no relapse, and that he will have a wonderful vacation if, as, and when we adjourn sometime in the future.

Mr. JOHNSON of Texas. Mr. President, I share the hope of the Senator from Oregon. As can be observed, the junior Senator from Indiana is already on the job, getting his work done.

Mr. HARTKE. Mr. President, I thank the Senator from Oregon and the Senator from Texas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Presiding Officer (Mr. McGEE in the chair) laid before the Senate the bill (H.R. 5711) granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes, which was read twice by its title.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5711) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HARTKE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MUTUAL SECURITY APPROPRIATIONS, 1960

The Senate resumed the consideration of the bill (H.R. 8385) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1960, and for other purposes.

Mr. KEATING obtained the floor.

Mr. JAVITS. Mr. President, will my colleague yield to me?

Mr. KEATING. I yield to the senior Senator from New York.

Mr. JAVITS. Mr. President, I acknowledge the parentage, which has been attributed to me by the minority leader, of the proposal for handling the civil rights problem at this particular stage in our proceedings.

With the permission of my colleague, I should like very briefly to state how I see this problem.

We need legislation on the subject. I thoroughly agree with the Senator from Oregon [Mr. MORSE] that we should remain here and legislate. Life's realities, however, being what they are, everyone knows that if we remain here upon that theory, in my opinion, the civil rights legislation itself will suffer, and the things that need to be done may not be done, not because the proposals lack merit, but because of the sheer strain of the desire to get away from here.

Certain questions would be shunted aside, and decided upon an inadequate basis, merely on the theory that they would not have to be decided again, which would be a great shame. Some of them are very desirable.

There exists what might be termed a balance of convenience, and a balance of view, in terms of what is best for this legislation, as between both sides of this issue.

The advocates of civil rights legislation may, if they choose, offer amendments to the pending measure, and, as the Chair has already noted, notwithstanding the personal view of any particular occupant of the Chair, the Senate will decide what is a germane amendment.

In my opinion any amendment which goes to the power of the Civil Rights Commission is a germane amendment; and there are many civil rights measures which, in my view, would be germane. In any case, as the majority leader has often stated, this is an opportunity for the majority to work its will. The majority of the Senate can do what it desires to do in this field.

We therefore have a choice, if there is to be an opportunity to do this job in connection with civil rights at a time when we believe the best job can be done for civil rights—not the best that can be done for going home; not the best that can be done in order to be here when Khrushchev is here, but the best that can be done for civil rights. We can stay our hand from proposing amendments, or we can vote against them, on the theory that we shall have

an opportunity on another occasion. If, on the other hand, there is no such opportunity, we shall be exactly where we are today.

I could, at an appropriate point in the proceedings—and there will be one today or tomorrow—rise and move for the consideration of my resolution, which is on the calendar, to discharge the Judiciary Committee. My colleague from New York could move for the consideration of a bill with respect to which he has very important civil rights amendments. So could the Senator from Missouri [Mr. HENNINGSEN] or any other Senator.

The Senate would be free to work its will. The question is, What is the best course of action for this issue? In our view—and perhaps this arrives at the point of mutuality with those who are against civil rights and would just as soon see consideration of the subject postponed—under the circumstances, consideration of this subject should be postponed until the next session.

During the war I was in the Army Chemical Warfare Service. Neither side used gas, which is a very effective and lethal weapon. Why? Because it suited them not to do it.

Of course, the Senator from Georgia has not agreed, nor has the majority leader or the minority leader; yet this plan seems to us to be indicated as the right thing to do.

As to the appropriate time for consideration of this subject, at this particular moment I do not believe that we ought to consider it any later than the middle of January. When we come to February, we begin to get legislation on the floor of the Senate, and there is what amounts to competition of legislation. In January our eye is single with respect to a particular issue with which we are to deal. The best example of that was the debate in connection with the proposal to amend rule XXII, in which the majority leader took such an important part. The debate was concluded within a reasonable time, and action—whether right or wrong—was consummated.

I think there is less likelihood of extended debate in the middle of January than there would be immediately after Lincoln Day celebrations, at which time, in my opinion, we shall begin to be pushed by other legislation. That is especially true, in view of the fact that next year is a Presidential election year, and we shall probably be leaving Washington in July in order to attend the political conventions.

I am grateful to my colleague for indulging me for so long. In summary, I believe that the wise thing, in behalf of civil rights legislation, is to deal with this question not later than the middle of January, and extend the life of the Commission now. I hope very much that this will be the way the question will be decided. That feeling can be expressed by either the majority leader or the minority leader. It is entirely practicable. That would be the most orderly way, and every Senator would have full notice. It would be entirely practicable and orderly, and in full accord with the way the Senate operates, for the minority leader, for example, to say that he will

feel obliged, on such-and-such a day in January, to move for the consideration of this legislation, by whatever means he chooses.

Senator Knowland brought the subject up on motion in connection with a House bill. Our present minority leader may bring it up on motion in connection with my resolution to discharge the Committee on the Judiciary from further consideration of the subject. It can be brought up in connection with my colleagues' amendments or those of the Senator from Missouri, on any bill that may be chosen.

So if we can leave here today, having extended the life of the Commission and having obtained an assurance which is entirely satisfactory to us, and with an entirely unilateral expression of the intention of the majority leader or the minority leader that this subject will be brought before us in the middle of January, I think we shall have well served the cause of civil rights, in which my colleague and I are so much interested.

Mr. CLARK. Mr. President, in my opinion, meaningful civil rights legislation is more important than the adjournment of the Senate. In my opinion, the mere extension of the life of the Civil Rights Commission, important though it is, is not meaningful civil rights legislation. In my opinion, if a majority of the Senate wishes to adjourn within the next day or two, we should bring the civil rights matter up as soon as we come back into session in January. In my judgment, adequate civil rights legislation is more important than any Jefferson-Jackson Day dinner, than any Roosevelt Day dinner, than any Lincoln Day celebration.

I agree completely that the sooner we get at this important legislation, with respect to which my party has firm commitments, which have not been met, the better it will be for the country and for all of us who are happy to be called politicians, although we are also Members of the Senate. I thank my friend from New York for yielding.

Mr. KEATING. Mr. President, I only wish to add that I believe it would be paying the greatest honor we could pay to these distinguished patriots, whom we will honor early next year, to have enacted civil rights legislation prior to the celebrations honoring them, or to be considering it in Congress at that time. After all, Abraham Lincoln can be said to be the father of all civil rights legislation. Certainly if he were here to speak for himself, I know he would expect that we would be doing our duty by enacting legislation rather than in paying homage to him, if that becomes necessary.

Therefore I share the view, if we are not going to come to grips with this problem now, which is my first preference, that we take it up in a very early part of the next session in January. I hope that later in the day the leaders on both sides will have further conferences to the end that those of us who have amendments pending may know definitely what the program is in order that we may govern ourselves accordingly.

Mr. President, I yield the floor.

Public Law 86-375
86th Congress, H. R. 5711
September 23, 1959

AN ACT

73 STAT. 694.

Granting the consent and approval of Congress to the Wabash Valley Compact, and for related purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Illinois and Indiana for the compact, known as the Wabash Valley Compact (Laws of Indiana, 1959, chapter 3, approved February 26, 1959, House Enrolled Act No. 22; Laws of Illinois, 1959, approved March 20, 1959, Senate Bill No. 78), in the form as follows:

Wabash Valley
Compact.

“THE WABASH VALLEY COMPACT

“ARTICLE I

“FINDINGS AND PURPOSE

“The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that underutilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the Valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the Valley.

“ARTICLE II

“THE VALLEY

“As used in this compact, the term ‘Wabash Valley’ shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

“ARTICLE III

“THE WABASH VALLEY INTERSTATE COMMISSION

“(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

“(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commis-

sioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

“(c) The Commission may sue and be sued, and shall have a seal.

“(d) The Commission shall elect annually, from among its members, a chairman, a vice-chairman and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

“(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel or other merit system laws of any of the party states.

“(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

“(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation.

“(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state of the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm or corporation, and may receive, utilize, and dispose of the same.

“(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

“(j) The Commission may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

“(k) The Commission annually shall make to the Governor of each party state, a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission which report shall be transmitted to the legislature of said state. The Commission may issue such additional reports as it may deem desirable.

“ARTICLE IV

“FINANCES

“(a) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

“(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Subject to appropriation by the respective legislatures the Commission shall be provided with such funds by each of the party states as are necessary to provide the

means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

"(c) The Commission may meet any of its obligations in whole or in part with funds available to it under Article III(h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article III(h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

"(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

"(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"(f) The accounts of the Commission shall be open at any reasonable time for inspection.

"ARTICLE V

"ADVICE AND COOPERATION

"(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: *Provided*, That if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Commission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

"(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal government, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

"ARTICLE VI

"FUNCTIONS

"The Commission shall have power to:

"A. Promote the balanced development of the Wabash Valley by

"(1) Correlating and reporting on data significant to such development.

"(2) Recommending the coordination of studies by the agencies of the party states to provide such data.

"(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

"(4) Recommending standards as guides for local and state zoning and other action which will promote balanced develop-

ment by encouraging the establishing of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wild life preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities and other appropriate measures.

"(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

"(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

"B. Recommend integrated plans and programs for the conservation, development, and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

"(1) Encouraging the classification of Valley lands in terms of appropriate uses.

"(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

"(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

"(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

"(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

"(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

"C. Secure the necessary research and developmental activities by:

"(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

"(2) Making contracts for studies, investigations and research in any of the fields of its interest.

"(3) Publishing and disseminating reports.

"D. Make recommendations for appropriate action to:

"(1) The legislatures and executive heads of the party states and the federal government

"(2) The agencies of the party states and the federal government

"E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

"ARTICLE VII

"ENACTMENT AND WITHDRAWAL

"This compact shall become effective when entered into and enacted into law by the States of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

"ARTICLE VIII

"CONSTRUCTION AND SEVERABILITY

"The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person or circumstances is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed."

SEC. 2. A Federal representative to the Wabash Valley Interstate Commission shall be appointed by the President, and he shall report to the President either directly or through such agency or official as the President may specify. Such representative shall have no vote on the commission. His compensation shall be in such amount, not in excess of \$100 per diem, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed \$10,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer or a retired Federal civilian officer or employee may be appointed as such representative, without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity but the sum of his retired pay or annuity and such additional compensation as may be paid hereunder shall not exceed \$12,000 in any one calendar year. The Federal representative shall be entitled to travel expenses, he shall also be provided with office space, stenographic service, and other necessary administrative services. The compensation of the Federal representative shall be paid from available appropriations for the White House Office or from funds available to the President in connection with special projects. Travel expenses, office space, stenographic, and administrative services shall be paid from any available appropriations selected by the head of such agency or agencies as may be designated by the President to provide such expenses.

SEC. 3. The Wabash Valley Interstate Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof. Report to Congress.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

SEC. 5. Nothing contained in this Act or in the compact herein consented to shall be construed as impairing or affecting the authority of the United States of any of its rights or jurisdiction in and over the area or waters which are the subject of the compact.

SEC. 6. That all future legislation enacted pursuant to article VI, clause E of the compact, requiring concurrent action by the States of Indiana and Illinois, shall be submitted to Congress for approval before such legislation becomes effective.

SEC. 7. Nothing contained herein shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any prohibited antitrust or monopolistic act, action, or conduct.

SEC. 8. The right is hereby reserved to the Congress or any of its standing committees to require the disclosure and furnishing of such information or data by the Wabash Valley Interstate Commission as is deemed appropriate by the Congress or any such committee.

Approved September 23, 1959.

